

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MYRON CRISDON,

Plaintiff,

v.

CAMDEN CITY BOARD OF
EDUCATION,

Defendant.

1:16-cv-08130-NLH-AMD

**MEMORANDUM
OPINION & ORDER**

APPEARANCES:

MYRON CRISDON
627 PEARL STREET
CAMDEN, NJ 08102

Appearing *pro se*

HILLMAN, District Judge

WHEREAS, Plaintiff, Myron Crisdon, appearing *pro se*, has filed a complaint against the Camden City Board of Education; and

WHEREAS, Plaintiff claims Defendant violated his federal rights when it failed to issue his high school diploma in June 2007; and

WHEREAS, Plaintiff has filed an application to proceed without prepayment of fees ("in forma pauperis" or "IFP" application), and pursuant to 28 U.S.C. § 1915(a)(1), a court may allow a litigant to proceed without prepayment of fees if he

submits a proper IFP application; and

WHEREAS, although § 1915 refers to "prisoners," federal courts apply § 1915 to non-prisoner IFP applications, Hickson v. Mauro, 2011 WL 6001088, *1 (D.N.J.2011) (citing Lister v. Dept. of Treasury, 408 F.3d 1309, 1312 (10th Cir. 2005) ("Section 1915(a) applies to all persons applying for IFP status, and not just to prisoners.") (other citations omitted); and

WHEREAS, the screening provisions of the IFP statute require a federal court to dismiss an action *sua sponte* if, among other things, the action is frivolous or malicious, or if it fails to comply with the proper pleading standards, see 28 U.S.C. § 1915(e)(2)(B)(i)-(iii); Ball v. Famiglio, 726 F.3d 448, 452 (3d Cir. 2013); Martin v. U.S. Department of Homeland Security, 2017 WL 3783702, at *1 (D.N.J. August 30, 2017) ("Federal law requires this Court to screen Plaintiff's Complaint for sua sponte dismissal prior to service, and to dismiss any claim if that claim fails to state a claim upon which relief may be granted under Fed. R. Civ. P. 12(b)(6) and/or to dismiss any defendant who is immune from suit."); and

WHEREAS, the Court finds that Plaintiff's instant suit is duplicative of two of his prior actions brought in this Court (see Civil Action Nos. 13-4427 (NLH/KMW) and 15-2119 (NLH/KMW)), and this case fails for the same reasons articulated in the Court's Opinions in those cases (see Docket No. 6 in 13-4427,

Docket No. 4 in 15-2119);

THEREFORE,

IT IS on this 3rd day of January, 2018

ORDERED that Plaintiff's IFP application (Docket No. 1-1) be, and the same hereby is, GRANTED, and the Clerk is directed to file Plaintiff's complaint; and it is further

ORDERED that Plaintiff's complaint be, and the same hereby is, DISMISSED.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.