

NOT FOR PUBLICATION**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

COURTNEY GREEN,

Plaintiff,

v.

LG ELECTRONICS USA, et al.,

Defendants.

Civil Action No. 22-06057 (SDW) (JSA)
No. 22-06221 (SDW)(JSA)**OPINION**

October 31, 2022

THIS MATTER having come before this Court upon the filing of two Complaints and Applications to Proceed in District Court Without Prepaying Fees or Costs by *pro se* Plaintiff Courtney Green (“Plaintiff”), (No. No. 22-06057, D.E. 1 (“Compl. 1”); 22-06221, D.E. 1 (“Compl. 2”)), and the Court having reviewed the Complaints for sufficiency pursuant to Fed. R. Civ. P. 8(a)(2) and (3) and *Ashcroft v. Iqbal*, 556 U.S. 662, 129 S. Ct. 1937, 173 L.Ed.2d 868 (2009); and

WHEREAS applications to proceed *in forma pauperis* are available to plaintiffs or petitioners in order to be excused from paying certain fees for district court proceedings, including those required to commence a civil action; and

WHEREAS Plaintiffs’ application to proceed without prepayment of fees and costs on matter number 22-06057, (Compl. 1, D.E. 1-1), indicates that Plaintiff: 1) has made \$7,000.00 per month in income for the past year; 2) has \$1803.00 per month in expenses; and 3) has \$300.00 in an account, (Compl. 1, D.E. 1-1 at 1–5); and

WHEREAS Plaintiffs’ application to proceed without prepayment of fees and costs on matter number 22-06221, (Compl. 2, D.E. 1-2), indicates that Plaintiff: 1) has made \$6,000.00 per

month in income for the past year; 2) has \$1988.00 per month in expenses; and has \$354.00 in a bank account, (Compl. 2, D.E. 1-2 at 1–5); and

WHEREAS both of Plaintiff’s Complaints appear to allege that Defendants have committed an act of racketeering by enabling a personally-owned television, as well as various other televisions at places Plaintiff has visited, to function as a conduit for hosts of various television shows to communicate directly with and monitor the movements of Plaintiff, (Compl. 1, D.E. 1 at 1–5; Compl. 2, D.E. 1 at 1–5, D.E. 1-5 at 1–11); and

WHEREAS *pro se* complaints, although “[held] to less stringent standards than formal pleadings drafted by lawyers,” *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972), must still “state a plausible claim for relief.” *Yoder v. Wells Fargo Bank, N.A.*, 566 F. App’x. 138, 141 (3d Cir. 2014) (quoting *Walker v. Schult*, 717 F.3d 119, 124 (2d Cir. 2013)); *Martin v. U.S. Dep’t of Homeland Sec.*, No. 17-3129, 2017 WL 3783702, at *3 (D.N.J. Aug. 30, 2017); and

WHEREAS the facts alleged in Plaintiff’s Complaints amount to general grievances and are insufficient to support a claim entitling Plaintiff to relief. *See* FED. R. CIV. P. 8(a)(2) (providing that an adequate complaint must contain “a short and plain statement of the claim showing that the pleader is entitled to relief”); *see also Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (stating that although Rule 8 does not require detailed factual allegations, “it demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation”); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (explaining that to survive a Rule 12(b)(6) motion, a plaintiff’s “[f]actual allegations must be enough to raise a right to relief above the speculative level”); therefore

Plaintiff's applications to proceed *in forma pauperis* are **DENIED**. Further, Plaintiff's Complaint in matter number 22-06057 is *sua sponte* **DISMISSED WITHOUT PREJUDICE**¹ for failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6). Plaintiff shall have thirty (30) days to file an amended Complaint for matter number 22-06057, the original matter pertaining to this action, and remit the appropriate filing fee. Failure to timely file an amended complaint in matter number 22-06057, along with the filing fee, will result in the dismissal of this matter with prejudice. An appropriate order follows.

/s/ Susan D. Wigenton
United States District Judge

Orig: Clerk
cc: Parties
Jessica S. Allen, U.S.M.J.

¹ Matter number 22-06221 is hereby **DISMISSED WITH PREJUDICE** as a duplicate action.