


Pursuant to § 1915(e)(2)(B)(ii), “the court shall dismiss the case at any time if the court determines that – the action . . . fails to state a claim on which relief may be granted” Plaintiff’s Amended Complaint repeats the same allegations as those contained in her original complaint, which were found insufficient to state a claim for relief. For example, the Amended Complaint does not allege that Defendant had an open employment position at the time that Plaintiff allegedly applied for employment nor does it describe the type of employment Plaintiff allegedly sought or Plaintiff’s qualifications for such employment. Thus, the Court cannot discern a valid or cognizable claim against Defendant.

Accordingly,

IT IS, on this 1st day of December 2015, **ORDERED** that:

1. Plaintiff’s Amended Complaint is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim on which relief may be granted;
2. Plaintiff may file a second amended complaint that conforms to the Federal Rules of Civil Procedure by January 4, 2016; and
3. If Plaintiff does not file a second amended complaint by January 4, 2016, the Amended Complaint shall be dismissed with prejudice and the case shall be closed.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE