UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

RICO DANCY, Plaintiff, v. CITY OF CLEVELAND, Defendant.	)	CASE NO. 1:17 CV 2032 JUDGE DAN AARON POLSTER MEMORANDUM OF OPINION AND ORDER

On September 27, 2017, plaintiff *pro se* Rico Dancy, an Ohio resident, filed this *in forma pauperis* action, based on diversity of citizenship, against defendant City of Cleveland. The claim portion of plaintiff's complaint states simply: "I'm deaf I asked the City of Cleveland last Tuesday my equal excess for interpreter services. They declined. I asked them, they told me no." ECF # 1, p.4.

Although *pro se* pleadings are liberally construed, *Boag v. MacDougall*, 454 U.S. 364, 365 (1982) (per curiam), the district court is required to dismiss an action under 28 U.S.C. § 1915(e) if it fails to state a claim upon which relief can be granted, or if it lacks an arguable basis in law or fact.[1] *Neitzke v. Williams*, 490 U.S. 319 (1989); *Hill v. Lappin*, 630 F.3d 468,

[1] An *in forma pauperis* claim may be dismissed *sua sponte*, without prior notice to the plaintiff and without service of process on the defendant, if the court explicitly states that it is invoking section 1915(e) [formerly 28 U.S.C. § 1915(d)] and is dismissing the claim for one of the reasons set forth in the statute. *Chase Manhattan Mortg. Corp. v. Smith,* 507 F.3d 910, 915 (6th Cir. 2007); *Gibson v. R.G. Smith Co.,* 915 F.2d 260, 261 (6th Cir.
(continued...)

470 (6th Cir. 2010).

Even construing the complaint liberally, there is no suggestion of diversity of citizenship of the parties. This court therefore lacks jurisdiction, and this case is subject to summary dismissal. *Lowe v. Huffstutler*, No. 89-5996, 1990 WL 66822 (6th Cir. May 21, 1990).

Accordingly, the request to proceed *in forma pauperis* is granted, and this action is dismissed. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE

(...continued)
1990); *Harris v. Johnson*, 784 F.2d 222, 224 (6th Cir. 1986).