

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

PAULA ZELESNIK,

Case No. 1:18CV2459

Plaintiff,

OPINION & ORDER

-vs-

JUDGE JAMES S. GWIN

GREAT AMERICAN INSURANCE, et al.,

Defendants.

Pro se Plaintiff Paula Zelesnik filed this civil action against multiple Defendants, including Great American Insurance, Frost Brown & Todd, GE CEO Jeff Immelt, Vineyard Cincinnati, and Dave Worman.¹ Plaintiff moves to proceed in forma pauperis²; that motion is granted. For the following reasons, this case is dismissed.

Pro se pleadings are held to “less stringent standards than formal pleadings drafted by lawyers” and must be liberally construed.³ Nevertheless, district courts are required to screen all in forma pauperis actions and dismiss before service any action the court determines is frivolous or

¹ (Doc. 1.)

² (Doc. 2.)

³ [Haines v. Kerner, 404 U.S. 519, 520 \(1972\)](#) (per curiam).

malicious, fails to state a claim on which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief.⁴

In order to state a claim for relief, a complaint must set forth “sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.”⁵ The “allegations must be enough to raise a right to relief above the speculative level”⁶ And they must be sufficient to give defendants “fair notice of what [the plaintiff’s] claims are and the grounds upon which they rest.”⁷

Plaintiff’s complaint must be dismissed as it asserts no plausible claim for relief. It consists only of a list of Defendants; an allegation of “rape and attempted murder Nov 2009”; and an ambiguous and confusing request for relief.⁸ It does not contain any direct or inferential allegations that would support a claim for relief against Defendants under any viable legal theory.⁹ Even liberally construed, the complaint does not give Defendants “fair notice” of the grounds upon which Plaintiff seeks relief.¹⁰ The complaint, therefore, fails to state a claim upon which relief can be granted and is dismissed pursuant to [28 U.S.C. §§ 1915\(e\)\(2\)\(B\)](#).

⁴ [28 U.S.C. § 1915\(e\)\(2\)\(B\)](#); see also [Hill v. Lappin](#), 630 F.3d 468, 470-71 (6th Cir. 2010).

⁵ [Id. at 471](#) (applying the dismissal standard articulated in [Ashcroft v. Iqbal](#), 556 U.S. 662 (2009), and [Bell Atl. Corp. v. Twombly](#), 550 U.S. 544 (2007), to dismissals for failure to state a claim under [§ 1915\(e\)\(2\)\(B\)](#)).

⁶ [Twombly](#), 550 U.S. at 555.

⁷ [Swierkiewicz v. Sorema N.A.](#), 534 U.S. 506, 514 (2002).

⁸ (See Doc. 1.)

⁹ See [Scheid Fanny Farmer Candy Shops, Inc.](#), 859 F.2d 434, 437 (6th Cir. 1988).

¹⁰ [Twombly](#), 550 U.S. at 545.

Furthermore, the Court notes that Plaintiff recently has filed several in forma pauperis actions in this district, including one before this Court, that have been dismissed for failure to state plausible claims.¹¹ Indeed, on November 2, 2018, another judge in this Court ruled that because Plaintiff has abused the privilege of proceeding as a pauper by repeatedly filing meritless lawsuits, she no longer will be permitted to file civil litigation in the Northern District of Ohio without paying the full filing fee.¹²

Accordingly, Plaintiff's complaint is dismissed under [28 U.S.C. §§ 1915\(e\)\(2\)\(B\)](#) for failure to state a claim upon which relief may be granted. This 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.

December 3, 2018

s/ James S. Gwin
JAMES S. GWIN
U.S. DISTRICT JUDGE

¹¹ See, e.g., *Zelesnik, et al. v. General Motors, et al.*, Case No. 1:18CV2165 (Gwin, J.); *Zelesnik, et al. v. Magnificat HS, et al.*, Case No. 1:18CV2188 (Boyko, J.); *Zelesnik v. Laverty, et al.*, Case No. 1:18 CV 2360 (Polster, J.); *Zelesnik, et al. v. GE Healthcare, et al.*, Case No. 1:18CV2443 (Boyko, J.); and *Zelesnik v. Ohio, et al.*, Case No. 1:18 CV2471 (Polster, J.).

¹² *Zelesnik v. Ohio, et al.*, Case No. 1:18CV2471, Doc. 3 (Polster, J.).