

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MARK S. FRAZIER,</b>	:	<b>CIVIL ACTION</b>
<i>Plaintiff</i>	:	
	:	
<b>v.</b>	:	
	:	
<b>THE STATE OF PENN,</b>	:	<b>NO. 17-4597</b>
<b>THE CITY OF PHILA,</b>	:	
<i>Defendants</i>		

**ORDER**

AND NOW, this 20<sup>th</sup> day of October, 2017, upon consideration of Mr. Frazier’s motion to proceed *in forma pauperis* and his *pro se* complaint, [ECF 1], it is hereby ORDERED that:

1. The motion to proceed *in forma pauperis* is GRANTED.

2. The complaint is DISMISSED, without prejudice, for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), consistent with this Court’s Memorandum. Mr. Frazier is granted leave to file an amended complaint within thirty (30) days of the date of this Order in the event he can cure the deficiencies in his complaint. If Mr. Frazier files an amended complaint, he should identify all of the defendants in the caption of the amended complaint in addition to the body of the amended complaint, and describe how each defendant was responsible for infringing upon his copyrighted materials. The amended complaint should also sufficiently describe the materials that Mr. Frazier has allegedly copyrighted. The amended complaint should not address Mr. Frazier’s wrongful arrest claim, as he is pursuing that claim in Action No. 17-4597. Upon the filing of an amended complaint, the Clerk of Court shall not make service until so ORDERED by the Court.

3. The Clerk of Court shall furnish Mr. Frazier with a blank copy of this Court's current standard form to be used by a *pro se* litigant filing a civil action bearing the above-captioned civil action number.

4. If Mr. Frazier fails to comply with this order, his case may be dismissed for failure to prosecute without further notice.

**BY THE COURT:**

*/s/ Nitza I. Quiñones Alejandro*  
**NITZA I. QUIÑONES ALEJANDRO**  
*Judge, United States District Court*