ADEYINKA v. PHILADELPHIA, PA et al Doc. 8

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

EMMANUEL ADEYINKA,	:	
Plaintiff,	:	
	:	
v.	:	**CIVIL ACTION NO. 18-CV-3253**
	:	
PHILADELPHIA, PA, *et al.*,	:	
Defendants.	:	

FILED
NOV 13 2018
KATE BARKMAN, Clerk
By Dep. Clerk

ORDER

AND NOW, this 9th day of November, 2018, upon consideration of *pro se* Plaintiff Emmanuel Adeyinka's Complaint (ECF No. 2), second Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 5), and Motion for Appointment of Counsel (ECF No. 6), it is **ORDERED** that:

1. The Complaint is **DISMISSED with prejudice** for failure to state a claim for relief, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons set forth in the Court's Memorandum. Adeyinka may not file an amended complaint in this matter.

2. Adeyinka's second Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 5) is **DENIED** as unnecessary.

3. Adeyinka's Motion for Appointment of Counsel (ECF No. 6) is **DENIED**. *See Tabron v. Grace*, 6 F.3d 147, 155 (3d Cir. 1993) (in determining whether appointment of counsel is appropriate, the Court should first determine whether plaintiff's lawsuit has a legal basis).

4. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

Petrese B. Tucker

PETRESE B. TUCKER, J.

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