

THE HONORABLE JOHN C. COUGHENOUR

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JONATHAN JOY,  
  
Plaintiff,  
  
v.  
  
SAINT CLAIR,  
  
Defendant.

CASE NO. C18-0143-JCC  
  
ORDER

This matter comes before the Court *sua sponte*. On February 9, 2018, Plaintiff was granted leave to proceed *in forma pauperis*. (Dkt. No. 2.) On the same day, the Court reviewed Plaintiff’s complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) and determined that it failed to state a claim upon which relief could be granted. (Dkt. No. 4.) The Court directed Plaintiff to file an amended complaint within 21 days of the date of its order. (*Id.*) Plaintiff failed to amend his complaint. The Court therefore DISMISSES the complaint without prejudice and without further leave to amend.

Pursuant to 28 U.S.C. § 1915(e)(2)(B), the Court must dismiss an *in forma pauperis* complaint at any time if the action fails to state a claim, raises frivolous or malicious claims, or seeks monetary relief from a defendant who is immune from such relief. Federal Rule of Civil Procedure 8 provides that in order to state a claim for relief, a pleading must contain “a short and plain statement of the grounds for the court’s jurisdiction” and “a short and plain statement of the

1 claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(1) & (2). At a minimum,  
2 a complaint must put a defendant on notice of the wrong he or she committed against the  
3 plaintiff. *See McHenry v. Renne*, 84 F.3d 1172, 1180 (9th Cir. 1996).

4 Plaintiff’s complaint fails to include a short and plain statement of his claim showing he  
5 is entitled to relief. This is true even construing this *pro se* complaint liberally. *See Hebbe v.*  
6 *Pliler*, 627 F.3d 338, 342 (9th Cir. 2010). Plaintiff brings suit against “Saint Clair,” a judge, in  
7 his official capacity. (Dkt. No. 3 at 1–3.) He does not explain how Defendant acted under color  
8 of state, local, or federal law, as required by such a suit. *See* 42 U.S.C. § 1983; (Dkt. No. 3 at 5–  
9 6.) Plaintiff alleges that his rights to “privacy, anonymity, [and] judicial matters” were violated.  
10 (*Id.* at 5.) He states that “a fight happened in [grade] school,” and that he “lied to a federal  
11 agency.” (*Id.*) Plaintiff further indicates that the fight occurred when a classmate “made advances  
12 towards [him]” in a school restroom and he hit the classmate, resulting in future bullying. (*Id.*)  
13 Plaintiff does not allege how the named Defendant caused him to be harmed or how this  
14 occurrence gave rise to his claim.

15 For the foregoing reasons, Plaintiff’s complaint is DISMISSED without prejudice and  
16 without further leave to amend. The Clerk is DIRECTED to close this case. The Clerk is further  
17 DIRECTED to mail a copy of this order to Plaintiff at the address listed on the docket.

18 DATED this 14th day of March 2018.

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22 John C. Coughenour  
23 UNITED STATES DISTRICT JUDGE  
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