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4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 PEOPLES COALITION FOR JUSTICE  
7 MEMBERS NATURAL PERSONS OF  
WASHINGTON STATE, DANIEL R.  
KIMBEL, CHRISTOPHER A. LEWIS,

8 Plaintiffs,

9 v.

10 STATE OF WASHINGTON, SUPERIOR  
11 COURT OF WASHINGTON STATE  
12 COUNTY OF PIERCE, PIERCE COUNTY  
DISTRICT COURT #1, CITY OF  
13 LAKEWOOD MUNICIPAL COURT,  
D.S.H.S.,

14 Defendants.

Case No. C06-5487FDB

ORDER DENYING LEAVE TO  
PROCEED *IN FORMA PAUPERIS*  
AND DISMISSING CAUSE OF  
ACTION

15 Plaintiffs move for leave to proceed *in forma pauperis*. Plaintiff Kimbel makes certain  
16 averments concerning his lack of ability to pay (unemployed since 2003, has received less than one  
17 hundred dollars from friends in the past twelve months, survives on food banks and the good graces  
18 of his landlord, no savings, etc.) Plaintiff Lewis makes similar averments.

19 Plaintiffs make allegations of abuse of the judicial process and/or abuse of discretion by  
20 judicial officers and others associated with the Washington courts, and they also have alleged fraud  
21 in the judicial proceedings. Plaintiffs assert federal question jurisdiction in that they allege violation  
22 of their constitutional rights. Plaintiff Kimbel alleges that he has been "maliciously alienated of the  
23 Constitutionally guaranteed and protected fundamental liberty interest of the Parent-Child  
24 relationship by the Officers of the Superior Court of Washington State, officers of the incorporated  
25 agencies d.b.a. State of Washington, Plaintiffs in all judicial actions have been denied by the Courts

26 ORDER - 1

1 of Washington, and have not received effective assistance of council [sic] for the issues raised and  
2 contained in the case records of the matters.”

3 Plaintiffs go on to request relief in the form of “temporary ex parte or other immediate lawful  
4 remedy for injunctive relief to the bench warrant issued for the arrest of Plaintiff Kimbel;” for  
5 immediate reinstatement of his driver’s license without costs resulting from judgments rendered  
6 (referencing specific case numbers); immediate injunctive relief to threat of arrest and continued  
7 violation and deprivations of constitutional rights created by the bench warrant issued for Plaintiff  
8 Lewis; and for orders directing the clerks of Pierce County Superior Court, Lakewood Municipal  
9 Court, Pierce County District Court # 1, and the Department of Social and Health Services to  
10 provide copies of certain documents, transcriptions of pretrial and trial proceedings without cost.  
11 Plaintiffs also seek damages for the constitutional violations asserted, as well as leave to file extended  
12 length briefs in the future in this matter.

13 Plaintiffs have made allegations that their rights under the United States Constitution have  
14 been violated; nevertheless, merely asserting a constitutional deprivation does not automatically  
15 demonstrate that jurisdiction is proper in this Court. Plaintiffs apparently take issue with the actions  
16 of certain state courts, and rather than follow with the state administrative or appeal processes, have  
17 decided to sue in this Court. Under the circumstances, Plaintiffs should assert their concerns in the  
18 state courts.

19 ACCORDINGLY, IT IS ORDERED: Plaintiffs are denied leave to proceed *in forma*  
20 *pauperis*, and this cause of action is DISMISSED.

21 DATED this 31<sup>st</sup> day of August, 2006.

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24 FRANKLIN D. BURGESS  
25 UNITED STATES DISTRICT JUDGE