

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

IRA RAY DEAN HARTFORD IV,

Plaintiff,

v.

CITY OF ELMA,

Defendant.

CASE NO. C14-5519 RBL

ORDER DENYING PLAINTIFF'S
MOTION TO PROCEED IFP

THIS MATTER is before the Court on Plaintiff Ira Hartford's application to proceed *in forma pauperis*. [Dkt #1] For the reasons below, the application is DENIED.

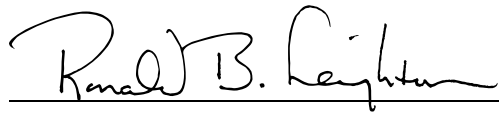
A district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad discretion in resolving the application, but "the privilege of proceeding *in forma pauperis* in civil actions for damages should be sparingly granted." *Weller v. Dickson*, 314 F.2d 598, 600 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should "deny leave to proceed *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit." *Tripati v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis*

1 complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v.*
2 *Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir.
3 1984).

4 Hartford’s complaint is difficult to decipher, but appears to broadly allege that the Mayor
5 of the City of Elma has conspired against Hartford and attempted to cover up “malicious
6 activities.” Hartford accuses the Mayor of some role in covering up evidence from a fire in
7 Hartford’s home, as well as ordering Hartford’s business to be shut down. Though Hartford has
8 endured some unfortunate circumstances, the Mayor’s tangential role in those situations is
9 simply too far removed to create any legitimate conspiracy claim.

10 Hartford’s Motion to Proceed *in forma pauperis* is **DENIED**. He has 15 days to pay the
11 filing fees or the case may be dismissed.

12
13 Dated this 26th day of July, 2014.

14 

15 RONALD B. LEIGHTON
16 UNITED STATES DISTRICT JUDGE