

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

J.B., an minor child and with his legal
guardian, ANNBEL BLAS,

Plaintiffs,

v.

TACOMA SCHOOL DISTRICT NO. 10,
A Washington Municipal Corporation,,

Defendant.

CASE NO. 16-cv-05952RBL

ORDER GRANTING MOTION FOR
LEAVE TO PROCEED IFP

THIS MATTER is before the Court on Plaintiffs Motion for Leave to Proceed *in forma pauperis* [Dkt. #2].

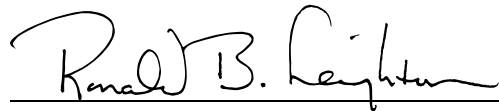
A district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad discretion in resolving the application, but “the privilege of proceeding *in forma pauperis* in civil actions for damages should 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

1 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis*
2 complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v.*
3 *Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir.
4 1984).

5 Plaintiffs have met this standard. The Motion to Proceed IFP [Dkt. #2] is GRANTED.

6 IT IS SO ORDERED.

7 Dated this 17th day of January, 2017.

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10 Ronald B. Leighton
United States District Judge