

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BETSY P ELGAR,

Plaintiff,

v.

PIERCE TRANSIT
ADMINISTRATION, GEORGE BUSH,
BARACK OBAMA, DONALD
TRUMP,

Defendants.

CASE NO. C17-6080RBL

ORDER

THIS MATTER is before the Court on Plaintiff Betsy Elgar’s Motion for Leave to Proceed *in forma pauperis*, supported by her proposed complaint. The complaint is quite difficult to read, because it does not really make sense. Elgar seems to think that she is owed something by Pierce Transit.

1 I HAD APPLIED FOR POSITION AS COMMUNITY
2 TRANSPORTATION ADVISORY BOARD. AND MOST
3 ESPECIALLY GOING TO THEIR MONTHLY MEETINGS
4 EVERY MONTH. I APPLIED THREE TIMES BUT
5 THEY ARE DISCRIMINATING AGAINST ME. THEY
6 DON'T LET EVERY EMPLOYEES MOST ESPECIALLY
7 ALL BUS DRIVERS TO MAKE ME FEEL SPECIAL
8 AND VERY IMPORTANT PERSON. I BELIEVE
9 THEY STOLE MY MONEY FOR THE HOMELESS
10 AND LOW INCOME PEOPLE. AND I BELIEVE
11 SOME OF THE BUS DRIVERS ARE TERRORISTS.
12 SOME ARE NICE BUT MOST OF THE BUS DRIVERS
13 ARE NOT FRIENDLY. WHY HATE THEM WHEN
14 I'M SUPPOSE TO BE THE BOSS OF PUBLIC
15 TRANSIT AND SCHOOL TRANSIT.

16 [Dkt. #1-1 at 3]

17 She also seeks the impeachment of Former President Obama and Current President

18 Trump:

19 I REQUEST IMPEACHMENT OF DONALD J.
20 TRUMP AS USA PRESIDENT. AND ALSO
21 IMPEACHMENT OF BARACK H. OBAMA

22 [Dkt. 1-1 at 5]

1 A district court may permit indigent litigants to proceed *in forma pauperis* upon
2 completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The Court has broad
3 discretion in resolving the application, but “the privilege of proceeding *in forma pauperis* in civil
4 actions for damages should be sparingly granted.” *Weller v. Dickson*, 314 F.2d 598, 600 (9th Cir.
5 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should “deny leave to proceed *in*
6 *forma pauperis* at the outset if it appears from the face of the proposed complaint that the action
7 is frivolous or without merit.” *Tripati v. First Nat’l Bank & Trust*, 821 F.2d 1368, 1369 (9th Cir.
8 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis* complaint
9 is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v. Dawson*, 778
10 F.2d 527, 529 (9th Cir. 1985); *see also Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir. 1984).

11 A *pro se* Plaintiff’s complaint is to be construed liberally, but like any other complaint it
12 must nevertheless contain factual assertions sufficient to support a facially plausible claim for
13 relief. *Ashcroft v. Iqbal*, 556 U.S. 662, 678, 129 S.Ct. 1937, 173 L.Ed.2d 868 (2009) (citing *Bell*
14 *Atlantic Corp. v. Twombly*, 550 U.S. 544, 570, 127 S.Ct. 1955, 167 L.Ed.2d 929 (2007)). A
15 claim for relief is facially plausible when “the plaintiff pleads factual content that allows the
16 court to draw the reasonable inference that the defendant is liable for the misconduct alleged.”
17 *Iqbal*, 556 U.S. at 678.

18 Ordinarily, the Court will permit *pro se* litigants an opportunity to amend their complaint
19 in order to state a plausible claim. *See United States v. Corinthian Colleges*, 655 F.3d 984, 995
20 (9th Cir. 2011) (“Dismissal without leave to amend is improper unless it is clear, upon *de novo*
21 review, that the complaint could not be saved by any amendment.”)

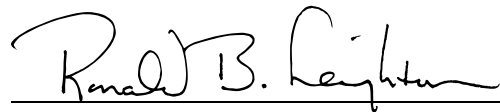
1 Elgar's complaint does not meet this standard. The claims are facially frivolous, and at
2 least with respect to her conspiracy theory claims about the government, there is nothing she can
3 alter or add to state a plausible claim.

4 Her motion to proceed *in forma pauperis* (and for the appointment of counsel) is
5 therefore **DENIED**. She must pay the filing fee or file a proposed amended complaint **within 21**
6 **days** or this case will be dismissed. The only claim that is conceivably viable involves a claim
7 against Pierce Transit, *if* she can articulate plausible claim against them for doing something to
8 her, other than not hiring bus drivers that Elgar suspects may be "terrorists."

9 Any proposed emended complaint that contains the sorts of claims and theories contained
10 in this version will be dismissed without further notice.

11 IT IS SO ORDERED.

12 Dated this 19th day of January, 2018.

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14 Ronald B. Leighton
15 United States District Judge
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