

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

TYRONE HURT,)	
)	
Plaintiff,)	
)	
vs.)	Cause No. 1:14-cv-01846-TWP-DKL
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

Entry Directing Further Proceedings

The plaintiff filed a complaint on November 12, 2014 against the United States, but has not paid the filing fee or sought leave to proceed *in forma pauperis*. Regardless of whether the plaintiff had paid the filing fee, the Court must assess the complaint under the standard established in 28 U.S.C. § 1915(e)(2). This statute directs that the Court dismiss a complaint or any claim within a complaint which “(1) is frivolous or malicious; (2) fails to state a claim upon which relief may be granted; or (3) seeks monetary relief from a defendant who is immune from such relief.” *Id.* The Court cannot perform this screening, however, because the complaint is illegible and the Court cannot discern the claims the plaintiff seeks to assert or any factual allegations that serve as the basis for any claims.

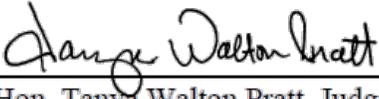
Further, the Court notes that the plaintiff has been barred from proceeding *in forma pauperis* in the District Court for the District of Columbia and the United States Court of Appeals for the District of Columbia Circuit. *See Hurt v. Soc. Sec. Admin.*, 544 F.3d 308, 311 (D.C. Cir. 2008); (“We revoke Hurt’s IFP privilege, dismiss all his appeals pending before this Court and direct the Clerk of the Court to refuse to accept any more of Hurt’s civil appeals that are not

accompanied by the appropriate filing fees.”); *Hurt v. Unit 32*, No. 12-1784 (D.D.C. Nov. 19, 2012). The Court of Appeals for the District of Columbia explained “we think ‘the number, content, frequency, and disposition’ of his filings shows an especially abusive pattern, aimed at taking advantage of the IFP privilege.” *Id.* at 310.

Based on the foregoing, the plaintiff shall have **through December 22, 2014**, in which to (1) **file** a legible amended complaint and (2) either pay the \$400.00 filing fee for this action or seek leave to proceed *in forma pauperis*. If he seeks leave to proceed *in forma pauperis*, as part of that request, the plaintiff shall **show cause** why the filing restriction in the District of Columbia discussed above should not be applied to his filings in this Court. Failure to proceed consistent with these directions may result in dismissal of this action without further notice to the plaintiff.

IT IS SO ORDERED.

Date: 11/18/2014



Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

Distribution:

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