

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

PATRICE HENNESSY	:	
	:	
v.	:	C.A. No. 24-00149-JJM
	:	
JAYME HENNESSY, et al.	:	

MEMORANDUM AND ORDER

Pending before me for determination is Plaintiff's Application to Proceed In Forma Pauperis ("IFP") seeking excusal from paying the \$405.00 civil case filing fee pursuant to 28 U.S.C. § 1915. (ECF No. 2). While it appears that Plaintiff is financially eligible for IFP status, her Complaint is not sufficient to survive screening as required by 28 U.S.C. § 1915(e)(2). As currently drafted, Plaintiff's Complaint fails to state any legally viable claims or any particular bases for federal subject matter jurisdiction.

On April 15, 2024, Plaintiff Patrice Hennessy filed her Complaint against Defendants Jayme Hennessy, Megan Hennessy, and Alexis Dupont. (ECF No. 1). Plaintiff asserts federal question jurisdiction described as "infringement of civil rights as slander and frauded [sic] documents are erroneously attacking civil rights & freedoms and could cause imprisonment." Id. at p. 3. She claims that her professional character was slandered and that her intellectual property was stolen and used for "self gain." Id. at p. 4. Unfortunately, Plaintiff's Complaint is lacking in detail, disorganized and disjointed making it hard to decipher. In addition, Plaintiff fails to specify the basis for her assertion of federal question jurisdiction and, as requested on the Complaint form, she does not "[l]ist the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case." Id. at p. 3.

Out of deference to Plaintiff's pro se status, I will refrain, at this time, from recommending dismissal of Plaintiff's Complaint to adequately plead a legal and factual basis for subject matter jurisdiction in this Court and for failing to clearly and plainly state any viable legal claims. In lieu of summary dismissal at this juncture, Plaintiff is given leave to file an Amended Complaint by May 10, 2024 that remedies the deficiencies identified in this Order and complies with Rules 8 and 10 of the Federal Rules of Civil Procedure. Failure to timely file an Amended Complaint that complies with this Order will result in a recommendation for summary dismissal of this case pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

SO ORDERED

/s/ Lincoln D. Almond
LINCOLN D. ALMOND
United States Magistrate Judge
April 18, 2024