

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

FEB 23 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JAMES B. JORDAN,

Plaintiff-Appellant,

v.

LOS ANGELES COUNTY DISTRICT
ATTORNEY,

Defendant-Appellee.

No. 23-55648

D.C. No. 2:23-cv-04328-DOC-MAR
Central District of California,
Los Angeles

ORDER

Before: FERNANDEZ, NGUYEN, and OWENS, Circuit Judges.

The district court dismissed this action as frivolous and denied appellant in forma pauperis status. *See* 28 U.S.C. § 1915(e). On August 1, 2023, this court ordered appellant to explain in writing why this appeal should not be dismissed as frivolous. *See* 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

Upon a review of the record and the response to the court's August 1, 2023 order, we conclude that this appeal is frivolous. We therefore deny appellant's motions to proceed in forma pauperis (Docket Entry Nos. 2 and 4) and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2).

No further filings will be entertained in this closed case.

DISMISSED.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:23-cv-4328-DOC (MAR)

Date: March 20, 2024

Title: James B. Jordan v. Los Angeles County District Attorney

Present: The Honorable: MARGO A. ROCCONI, UNITED STATES MAGISTRATE JUDGE

Valerie Velasco
Deputy Clerk

N/A

Court Reporter / Recorder

Attorneys Present for Petitioner:
N/A

Attorneys Present for Defendants:
N/A

Proceedings: (In Chambers) PLAINTIFF'S FILINGS, Dkts. 7, 9, 10, 11, 12.

James B. Jordan (“Plaintiff”) has filed several documents in this case. ECF Docket Nos. (“Dkts.”) 7, 9, 10, 11, 12. This action has been dismissed by both the district court and the Ninth Circuit as frivolous. Dkt. 5, 18, 19. To the extent Plaintiff’s filings could be construed as motions, they also appear frivolous and without merit. Accordingly, to the extent Plaintiff seeks relief from this Court in any of his filings, Plaintiff’s motions are **DENIED**. Any future pleading filed in this matter will be docketed by the clerk of the court, but no further action will be taken.

IT IS THEREFORE ORDERED that Plaintiff’s Motions, Dkts. 7, 9, 10, 11, and 12 are **DENIED**.

Initials of Preparer

vv

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

James B. Jordan v.	PLAINTIFF(S)	CASE NUMBER
		2:23-cv-04328-DOC-MAR
Los Angeles County District Attorney	DEFENDANT(S)	ORDER ON REQUEST TO PROCEED <i>IN FORMA PAUPERIS</i> (NON-PRISONER CASE)

The Court has reviewed the Request to Proceed *In Forma Pauperis* (the "Request") and the documents submitted with it. On the question of indigency, the Court finds that the party who filed the Request:

- is not able to pay the filing fees. is able to pay the filing fees.
- has not submitted enough information for the Court to tell if the filer is able to pay the filing fees. This is what is missing:

IT IS THEREFORE ORDERED that:

- The Request is GRANTED.
- Ruling on the Request is POSTPONED for 30 days so that the filer may provide additional information.
- The Request is DENIED because the filer has the ability to pay.
- As explained in the attached statement, the Request is DENIED because:
- The District Court lacks subject matter jurisdiction removal jurisdiction.
 - The action is frivolous or malicious.
 - The action fails to state a claim upon which relief may be granted.
 - The action seeks monetary relief against defendant(s) immune from such relief.

IT IS FURTHER ORDERED that:

- Within 30 days of the date of this Order, the filer must do the following:

If the filer does not comply with these instructions within 30 days, this case will be DISMISSED without prejudice.

- As explained in the attached statement, because it is absolutely clear that the deficiencies in the complaint cannot be cured by amendment, this case is hereby DISMISSED WITHOUT PREJUDICE WITH PREJUDICE.
- This case is REMANDED to state court as explained in the attached statement.

June 16, 2023

Date

United States District Judge

Pursuant to 28 U.S.C. § 1915(e), the Court finds this action frivolous. This action is dismissed without prejudice.

(attach additional pages if necessary)