

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEVIN SPENCE, : CIVIL ACTION  
Plaintiff, :  
 :  
v. :  
 :  
COMMUNITY LIFE IMPROVEMENT, :  
Defendant. : No. 03-CV-3406

MEMORANDUM AND ORDER

J. M. KELLY, J. NOVEMBER , 2003

Presently before the Court is the second incomplete Motion for Leave to Proceed In Forma Pauperis (Doc. No. 5) that pro se Plaintiff Kevin Spence ("Plaintiff") has filed in this case. In a Memorandum and Order dated June 26, 2003, this Court denied Plaintiff's first request to proceed in forma pauperis for his failure to submit completed financial statements and, in any case, dismissed Plaintiff's Complaint as frivolous.<sup>1</sup> In the instant Motion, Plaintiff again seeks leave of this Court to proceed without the prepayment of fees pursuant to 28 U.S.C. § 1915, but, this time, fails to provide any statements whatsoever as to his financial condition. For this reason, Plaintiff's Motion must be **DENIED**.

Further, even with most liberal reading of Plaintiff's

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In a Memorandum and Order dated September 11, 2003, this Court also denied Plaintiff's styled "Petition" requesting that the undersigned judge be named as a defendant in this matter, for the reason that the doctrine of judicial immunity applies where a judge is engaged in any activity normally performed by a judge, such as here, where the undersigned judge issued a judicial determination that was unfavorable to Plaintiff.

rambling, eight-page, handwritten Complaint, the Court can discern only that Plaintiff is seeking summary judgment as to some unknown issue, but otherwise fails to state any facts to support any legal theory. Accordingly, Plaintiff's Complaint is **DISMISSED** as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

BY THE COURT:

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JAMES MCGIRR KELLY, J.