

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

ALFRED B. NJIE, : CIVIL ACTION  
Plaintiff, :  
 :  
v. :  
 :  
U.A.W. LOCAL 677, :  
Defendant. : No. 04-179

**MEMORANDUM AND ORDER**

**J. M. KELLY, J.** **FEBRUARY** , 2004

Presently before the Court is a Motion to Proceed In Forma Pauperis and a Complaint ("Complaint") filed by pro se Plaintiff Alfred B. Njie ("Plaintiff") against Defendant U.A.W. Local 677 ("Defendant"). On the Designation Form, used by the Clerk's Office to assign cases to the appropriate calendar, Plaintiff marked his matter as a Complaint for a Labor-Management Relations violation, but fails to allege any specific violations in his Complaint.

Plaintiff seeks permission to file his Complaint in forma pauperis pursuant to 28 U.S.C. § 1915. For the following reasons, Plaintiff's Motion to Proceed In Forma Pauperis is **GRANTED** and his Complaint is **DISMISSED WITHOUT PREJUDICE**.<sup>1</sup>

Under § 1915(a), a Court can allow a litigant to proceed without the prepayment of the required filing fee upon a showing

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<sup>1</sup> If within twenty (20) calendar days from the date of this Order, Plaintiff is able to cure the deficiencies set forth in this Memorandum through an amended pleading, the Court will reopen Plaintiff's case. See Grayson v. Mayview State Hosp., 293 F.3d 103, 108 (3d Cir. 2002).

of indigence. Deutsch v. United States, 67 F.3d 1080, 1084 n.5 (3d Cir. 1995). Plaintiff is unemployed, and while he receives \$754.00 biweekly in unemployment compensation and owns a vehicle worth \$1500.00, he is also the sole financial provider for one stepchild and two of his natural children. Therefore, after reviewing Plaintiff's application, this Court finds that Plaintiff qualifies as indigent, and it is **ORDERED** that his Motion to Proceed In Forma Pauperis is **GRANTED**.

However, Plaintiff's Complaint must be dismissed under § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted as Plaintiff failed to comply with Federal Rule of Civil Procedure 8. Rule 8 mandates that a Complaint shall contain: "(1) a short and plain statement of the grounds upon which the court's jurisdiction depends . . . (2) a short and plain statement of the claim showing that the pleader is entitled to relief, and (3) a demand for judgment for the relief the pleader seeks." Fed. R. Civ. P. 8(a). Plaintiff's Complaint fails to set forth the grounds upon which this Court's jurisdiction depends, a concise statement of the Plaintiff's claims, and an explanation as to why Plaintiff is entitled to the relief requested against the Defendant. See Id.

Plaintiff's one-sentence Complaint appears to arise out of a termination from employment that he believes was wrongful. Aside from this claim of wrongful termination, Plaintiff's Complaint is

otherwise vague as to any facts that support this allegation.  
Accordingly, it is **ORDERED** that Plaintiff's Complaint is  
**DISMISSED WITHOUT PREJUDICE.**

BY THE COURT:

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JAMES MCGIRR KELLY, J.