

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

KIM FRANCES DAVENPORT KAPLANDS :
 :
 : CIVIL ACTION
 :
 v. :
 :
 :
 D.P.A., DEPARTMENT OF PUBLIC :
 WELFARE, JOANN B. JONES, :
 PHILADELPHIA HOUSING AUTHORITY, :
 ROBERT H. MESSERMAN, ESQ. :
 PHILADELPHIA POLICE DEPARTMENT, :
 14TH DISTRICT, DEPARTMENT OF :
 HUMAN SERVICES, D.H.S., :
 SOUTHERN HOMES, ELIZA SHIRLEY, :
 OSHA, AND ANY/ALL GUILTY : NO. 98-394
 PERSONS :

MEMORANDUM ORDER

Presently before the court is plaintiff's Motion to Proceed In Forma Pauperis. Because it appears from plaintiff's affidavit that she is unable to pay the usual filing fee to commence a civil action, that motion will be granted.

In her complaint, plaintiff alleges only that defendants "violated and obstructed [her] civil rights." Plaintiff also asks to "reopen" a prior case of hers in this district to add an allegation of a violation of "the Proclamation Emancipation."

Plaintiff initiated a § 1983 action in this court in 1984 in which she alleged that various defendants violated her rights when she was involuntarily committed to a psychiatric hospital by injecting her with unprescribed antipsychotic drugs and holding her past the time authorized by state law. Davenport v. St. Mary Hospital et al., Civ. No. 84-4549. A number of defendants were dismissed. The remaining defendants later

entered into a settlement agreement with plaintiff as a result of which the case was dismissed with prejudice pursuant to L. R. Civ. P. 23(b). See Davenport at 1988 WL 15199 (E.D. Pa. Feb. 23, 1988).

Plaintiff provides absolutely no legally cognizable basis for reopening her 1984 case, the relitigation of which would, in any event, be barred by principles of res judicata.

Plaintiff provides absolutely no information in this case regarding what rights were violated, how, when and precisely by whom or any other information from which a cognizable claim can be discerned. Plaintiff has not remotely satisfied even the liberal pleading requirements of Fed. R. Civ. P. 8(a). To assert a viable federal claim a plaintiff must set forth facts about the basic events or conduct she is aggrieved by which can be pled in good faith showing what her claim is, the grounds upon which its rests and that she is entitled to relief.

ACCORDINGLY, this day of January, 1998, pursuant to 28 U.S.C. § 1915(a)(1), **IT IS HEREBY ORDERED** that plaintiff's Motion to Proceed In Forma Pauperis is **GRANTED** and, pursuant to 28 U.S.C. § 1915 (e)(2)(B)(ii), the complaint in this action is **DISMISSED**.

BY THE COURT:

JAY C. WALDMAN, J.