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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SUSAN MORRISON,

Plaintiff - Appellant,

v.

UNITED STATES DEPARTMENT OF
JUSTICE; THE FEDERAL BUREAU OF
INVESTIGATION,

Defendants - Appellees.

No. 12-17328

D.C. No. 3:12-cv-04093-JSW

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Jeffrey S. White, District Judge, Presiding

Submitted March 10, 2014**

Before: PREGERSON, LEAVY, and MURGUIA, Circuit Judges.

Susan Morrison appeals pro se from the district court's judgment denying her request to proceed in forma pauperis and dismissing her action alleging that defendants have conspired with and failed to investigate and prosecute individuals

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

who have terrorized her and her family. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the denial of leave to proceed in forma pauperis, and de novo a determination that a complaint lacks arguable substance in law or fact. *Tripati v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369 (9th Cir. 1987). We affirm.

The district court did not abuse its discretion by denying Morrison leave to proceed in forma pauperis because Morrison failed to allege sufficient facts to state a plausible claim for relief. *See id.* at 1370 (“A district court may deny leave to proceed in forma pauperis at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit.”); *see also Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (to avoid dismissal, “a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face” (citation and internal quotation marks omitted)); *United States v. Hall*, 559 F.2d 1160, 1163 (9th Cir. 1977) (U.S. Attorney has broad discretion in determining which cases to prosecute).

AFFIRMED.