

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Richie Accime v. Cares Campus, et al.

Accime · No. 3:25-cv-00701-MMD-CLB · Decided January 5, 2026

OPINION

1 2 3 UNITED STATES DISTRICT COURT 4 DISTRICT OF NEVADA 5 * * * 6 RICHIE
ACCIME, Case No. 3:25-cv-00701-MMD-CLB 7 Plaintiff, ORDER v. 8 CARES CAMPUS, et
al., 9 Defendants. 10 11 Pro se Plaintiff Richie Accime filed an application to proceed in forma
pauperis 12 (“IFP”) (ECF No. 1) and sues Defendants Cares Campus, Kelly “night supervisor,” 13
Breanna, and Allied Security Night Supervisor for alleged discrimination and violations of 14 his
federally protected rights.

(ECF No. 1-1 (“Complaint”).) Before the Court is the Report 15 and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin (ECF 16 No. 3), recommending that the Court grant the IFP application (ECF No. 1), dismiss the 17 Complaint with prejudice, and close this case. (ECF No. 3 at 5.)

To date, no objections to 18 the R&R have been filed. Because there is no objection, and, as further explained below, 19 the Court adopts the R&R in full. 20 Because there is no objection, the Court need not conduct de novo review and is 21 satisfied that Judge Baldwin did not clearly err. See *United States v. Reyna-Tapia*, 328 22 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and 23 recommendations is required if, but only if, one or both parties file objections to the 24 findings and recommendations.” (emphasis in original)).

Judge Baldwin first recommends 25 the Court grant the IFP application (ECF No. 1) because Accime is unable to make an 26 initial installment payment towards the full filing fee under 28 U.S.C. § 1915. (ECF No. 3 27 at 1-2.) 28 /// 1 Judge Baldwin then screens Accime’s Complaint. (Id. at 2-3.)

In raising allegations 2 of discrimination and “deprivation of rights” under 18 U.S.C. § 241, Accime asserts that 3 Defendants violated his federally protected rights based on the following: 4 While he was “in the lobby of the main building,” he “had a right to consume bottled drinks,” and without warning “and immediately” he was given a “sit 5 [indecipherable].” (ECF No. 1-1 at 4.)

6 Judge Baldwin recommends dismissal of the Complaint (ECF No. 1-1) with 7 prejudice because it is vague and fails to state a legal claim upon which relief can be 8 granted.¹ (ECF No. 3 at 4.) Even construing Accime’s allegations liberally, his conclusory 9 statements do not give rise to any federal constitutional or statutory right. (Id.) 10 The Court agrees that, even construing these

allegations together and liberally, 11 the Complaint is largely incomprehensible, making it impossible for the Court to identify 12 the factual or legal basis of Accime's claims.

It is unclear precisely what harm occurred, 13 how that harm connects to a cause of action, how each alleged defendant was involved, 14 and how relief may be granted on Accime’s claims. Moreover, to the extent Accime is 15 attempting to assert a claim against Defendants for a “deprivation of rights” under 18 16 U.S.C. § 241, the Court agrees that such a claim is not cognizable because § 241 is a 17 federal criminal statute without a private right of action.

18 Judge Baldwin is therefore correct in her determination that Accime fails to state a 19 claim
upon which relief may be granted, so this action must be dismissed with prejudice. 20 Leave to
amend is inappropriate here because the issues identified by the Court cannot 21 be cured by
amendment. See *Cato v. United States*, 70 F.3d 1103, 1106 (9th Cir. 1995). 22 Accordingly, having
reviewed the R&R, Judge Baldwin did not clearly err.

23 It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF 24 No. 3) is
 24 accepted and adopted in full. 25 26 27 1A court may dismiss a plaintiff's complaint for "failure to
 28 state a claim upon which relief can be granted." Fed. R. Civ. P. 12(b)(6). A properly pled
 complaint must provide "a short and plain statement of the claim showing that the pleader is
 entitled to relief." *Id.* at 1 It is further ordered that Accime's application to proceed IFP (ECF No.
 1) is 2 || granted.

3 It is further ordered that the Clerk of Court file the Complaint (ECF No. 1-1). 4 It is further
ordered that Accime's Complaint (ECF No. 1-1) is dismissed with 5 || prejudice. 6 The Clerk of
Court is directed to enter judgment in accordance with this Order and 7 || close this case. 8
DATED THIS 5" Day of January 2026. 9 11 1 UNITED
STATES DISTRICT JUDGE 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28