

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA**

Gholibeigian v. Rubio

No. 25-cv-07885-NC (N.D. Cal. Oct. 2, 2025) · No. 25-cv-07885-NC · Decided October 2, 2025

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF
CALIFORNIA 9 10 PARVIN GHOLIBEIGIAN, Case No. 25-cv-07885-NC 11 Plaintiff, ORDER
GRANTING 12 AMENDED IFP APPLICATION; v. SCREENING COMPLAINT 13 UNDER 28
U.S.C. § 1915 MARCO RUBIO, et al., 14 Re: ECF 1, 9 Defendants. 15 16 17 Self-represented
Plaintiff Parvin Gholibeigian brings a complaint for writ of 18 mandamus seeking to compel
Defendants to complete adjudication on her husband's 19 immigration visa application.

ECF 1. Plaintiff also filed an application to proceed in 20 forma pauperis (IFP). ECF 3. Because
the initial IFP application was incomplete, the 21 Court ordered Plaintiff to file an amended
application or pay the case filing fee. ECF 6. 22 Plaintiff filed a complete, amended IFP
application. ECF 9.

The Court grants Plaintiff's 23 IFP application and screens her complaint, finding it meets the
requirements of 28 U.S.C. 24 § 1915. 25 I. Free Help is Offered to Self-Represented Litigants 26
As a free service to self-represented civil litigants, the Federal Pro Se Program at 27 the San Jose
Courthouse provides free information and limited-scope legal advice.

The 1 || also online resources available on the Court's webpage. The Pro Se Handbook, found at: 2
|| <http://www.cand.uscourts.gov/pro-se-litigants/>, has a downloadable version of the Court's 3 ||
publication: Representing Yourself in Federal Court: A Handbook for Pro Se Litigants. 4 || II.

The IFP Application is Granted 5 Upon review of Plaintiff's amended IFP application at ECF 9,
the Court is 6 || persuaded she cannot afford the case filing fee. Plaintiff's IFP application is
granted. 7 || II. The Complaint Satisfies 28 U.S.C. § 1915 8 Title 28 U.S.C. § 1915(e)(2) requires
the Court to screen complaints filed by persons 9 || proceeding IFP who are unable to pay court
filing fees.

In its review, the Court must 10 || identify any cognizable claims and dismiss any claims that are
frivolous, malicious, fail to 11 state a claim upon which relief may be granted, or seek monetary
relief from a defendant 3 12 || who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B); Lopez
v. Smith, 203 F.3d 13 1122, 1126—27 (9th Cir. 2000) (en banc). Pleadings from self-represented,
or pro se, C 14 || litigants must be liberally construed.

Balistreri v. Pacifica Police Dep't, 901 F.2d 696, 3 15 } 699 (9th Cir. 1990). 16 Because the complaint states at least one cognizable claim on its face, and is not 5 17 otherwise frivolous, malicious, or seeking monetary relief from immune defendants, the 5 18 } complaint satisfies the requirements of 28 U.S.C. § 1915. 19 || IV. Conclusion 20 Because the Court grants Plaintiff's IFP application at ECF 9 and finds the complaint 21 at ECF | satisfies 28 U.S.C. § 1915, the Clerk of Court shall issue the summons, and the 22 || U.S. Marshal for the Northern District of California shall serve, without prepayment of 23 || fees, a copy of the complaint and this Order upon Defendants.

Defendants are not 24 |) precluded from challenging Plaintiff's claims or raising defenses. 25 IT IS SO ORDERED. 26 27 Dated: October 2, 2025 h-_____ _ NATHANAEL M. COUSINS
28 United States Magistrate Judge