

FILED

SEP 28 2009

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Michael Anthony Miller,)
)
 Plaintiff,)
)
 v.)
)
 B. Obama *et al.*,)
)
 Defendants.)

Civil Action No. **J9 1841**

MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The application will be granted and the complaint will be dismissed pursuant to 28 U.S.C. § 1915A (requiring dismissal of a prisoner's complaint upon a determination that the complaint, among other grounds, is frivolous).

Plaintiff, a California inmate in Coalinga, California, sues President Barack Obama, Vice President Joe Biden, California Senators Barbara Boxer and Dianne Feinstein, and California Congressmen Adam Schiff and Jim Casta. He alleges that the defendants "have breached their oaths by allowing modern slavery and genocide to be effectuated in the United States under pretense of penal incarceration." Compl. at 1. He claims "specifically" that he has been subjected to "colorable Court orders under pretense of three strikes laws illegally applied to cases that do not meet the criteria and [] prison mental illness lables [sic] to effectuate false imprisonment." *Id.* at 2. Plaintiff further alleges that he has been subjected to "unlawful retaliation by using female sexual predators to rape and file false criminal charges against Plaintiff for reporting female sexual predators, Judges, Prosecutors and Sheriff/Peace Officers who conspire with the female sexual predators who were found to be guilty of conspiracy [.]" *Id.*

(N)

He also alleges that he “was force[d] to go so far as to marry” one of the alleged sexual predators. *Id.* at 6 ¶ 17. Plaintiff seeks injunctive and declaratory relief.

The complaint not only presents the type of fantastic or delusional scenarios found to justify immediate dismissal as frivolous, *Neitzke v. Williams*, 490 U.S. 319, 328 (1989); *Best v. Kelly*, 39 F.3d 328, 330-31 (D.C. Cir. 1994), but it is frivolous also because it lacks “an arguable basis in law and fact” against the named defendants. *Brandon v. District of Columbia Bd. of Parole*, 734 F.2d 56, 59 (D.C. Cir. 1984). A separate Order of dismissal accompanies this Memorandum Opinion.

Date: September 21, 2009


United States District Judge