

FILED

MAR 20 2012

**Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia**

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JOAN F.M. MALONE,)
)
Plaintiff,)
)
v.)
)
HILLARY R. CLINTON,)
Secretary of State, *et al.*,)
)
Defendants.)

Civil Action No. **12 0431**

MEMORANDUM OPINION

This matter comes before the court on review of plaintiff's application to proceed *in forma pauperis* and *pro se* civil complaint. The court will grant the application, and dismiss the complaint.

The court must dismiss a complaint if it is frivolous, malicious, or fails to state a claim upon which relief can be granted. 28 U.S.C. § 1915(E)(1)(B). In *Neitzke v. Williams*, 490 U.S. 319 (1989), the Supreme Court states that the trial court has the authority to dismiss not only claims based on an indisputably meritless legal theory, but also claims whose factual contentions are clearly baseless. Claims describing fantastic or delusional scenarios fall into the category of cases whose factual contentions are clearly baseless. *Id.* at 328. The trial court has the discretion to decide whether a complaint is frivolous, and such finding is appropriate when the facts alleged are irrational or wholly incredible. *Denton v. Hernandez*, 504 U.S. 25, 33 (1992).

Plaintiff, who claims to be a 2012 candidate for President of the United States, alleges that, on February 13, 2012, "someone climb[ed] into [her] open window, vandalize closets, left

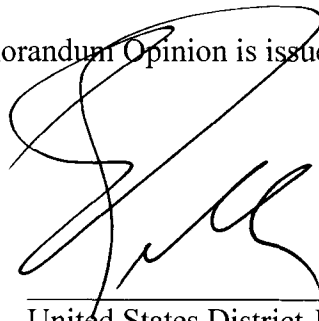
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knife beside [her],” Compl. at 1, that doctors falsified her medical records, *id.*, and that the defendants are somehow responsible for ruining her medical and financial health, *id.* at 2. She attaches several documents to the complaint, none of which shed any light on the claims she purports to raise. She demands damages of \$40 million. *Id.*

The Court is mindful that complaints filed by *pro se* litigants are held to less stringent standards than those applied to formal pleadings drafted by lawyers. *See Haines v. Kerner*, 404 U.S. 519, 520 (1972). Having reviewed plaintiff’s complaint, the Court concludes that what factual contentions are identifiable are baseless and wholly incredible. For this reason, the complaint is frivolous and must be dismissed. *See* 28 U.S.C. § 1915(e)(2)(B)(i).

An Order consistent with this Memorandum Opinion is issued separately.



United States District Judge

DATE:

3/14/12