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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA  
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9 Gino Romano,

10 Plaintiff,

11 v.

12 Kimberly Noel Kardashian aka Kim  
13 Kardashian; Diana Taurasi; Stephen John  
14 Nash aka Steve Nash; and Kloe Kardashian,

15 Defendants.

No. CV-12-1320-PHX-GMS

**ORDER**

16 Pending before the Court is Plaintiff's Application to Proceed in District Court  
17 without Prepaying Fees or Costs (Doc. 2), which will be granted. The Court will screen  
18 Plaintiff's Complaint (entitled Preliminary Injunction/Temporary Restraining Order)  
19 pursuant to 28 U.S.C. § 1915(e)(2) before it is allowed to be served. Pursuant to that  
20 screening, Plaintiff's Complaint (Doc. 1) is dismissed.

21 **BACKGROUND**

22 Plaintiff Gino Romano<sup>1</sup> is a frequent filer of federal lawsuits. As of June 18, 2008,  
23 he had brought over 2,000 actions in federal courts. *Riches v. Garese*, 2008 WL 2475733,  
24 at \*1 (E.D.Ky.) (E.D. Ky. June 18, 2008) ("The Court takes judicial notice of the total  
25 2,023 cases which the instant Plaintiff has brought to the federal courts."). In the District

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27 <sup>1</sup> Plaintiff also uses the name "Jonathan Lee Riches." See *Riches v. Cochran*, 2009  
28 WL 928426, at \*1 (D. Del. April 6, 2009) (noting that Jonathan Lee Riches is a prolific  
filer of frivolous lawsuits and that Gino Romano is one of the names he uses).

1 of Arizona alone, Romano has either filed, or attempted to intervene in, eighteen actions  
2 during the last six years, including suits against Senator John McCain, Jared Loughner,  
3 ABC's Dancing with the Stars and its cast, and numerous players on the Arizona  
4 Cardinals football team. *See, e.g., Riches v. Loughner*, 4:11-cv-00059, (D. Ariz. Jan. 24,  
5 2011); *Abdulmutallab et al. v. ABC's Dancing with the Stars et al.*, 10-cv-00191-DCB-  
6 PSOT (D. Ariz. April 1, 2010); *Riches v. Leinart et al.*, 2:08-cv-02368-JAT-MHB (D.  
7 Ariz. Dec. 28, 2008); *Riches v. McCain et al.*, 2:07-cv-02026-JAT-MHB (D. Ariz. Oct.  
8 18, 2007). Plaintiff states in one of those complaints that he is "in the Guinness [*sic*] book  
9 of world records for suing the most people in the history of mankind." *See Loughner*,  
10 4:11-cv-00059, Doc. 1 at 1.

11 Plaintiff instigated the instant action on June 20, 2012 by filing a two-page  
12 document with the Court, which is entitled Preliminary Injunction/Temporary Restraining  
13 Order, but which the Court will construe broadly and treat as Plaintiff's Complaint. (Doc.  
14 1). In this document, Plaintiff makes several outlandish allegations against Defendants.  
15 (*Id.*) He does not state his basis for placing jurisdiction and venue in the District of  
16 Arizona. Plaintiff has not submitted the District Court's filing fee, and has instead filed  
17 an Application to Proceed in District Court without Prepaying Fees or Costs. (Doc. 2).

## 18 DISCUSSION

19 Congress has provided with respect to in forma pauperis cases that a district court  
20 "shall dismiss the case at any time if the court determines" that the "allegation of poverty  
21 is untrue" or that the "action or appeal" is "frivolous or malicious," "fails to state a claim  
22 on which relief may be granted," or "seeks monetary relief against a defendant who is  
23 immune from such relief." 28 U.S.C. § 1915(e)(2). While much of § 1915 outlines how  
24 prisoners can file proceedings in forma pauperis, section 1915(e) applies to all in forma  
25 pauperis proceedings not just those filed by prisoners. *Lopez v. Smith*, 203 F.3d 1122,  
26 1127 (9th Cir. 2000). "It is also clear that section 1915(e) not only permits but requires a  
27 district court to dismiss an in forma pauperis complaint that fails to state a claim" or that  
28 is frivolous or malicious. *Id.* "[A] finding of factual frivolousness is appropriate when the

1 facts alleged rise to the level of the irrational or wholly incredible, whether or not there  
2 are judicially recognized facts available to contradict them.” *Denton v. Hernandez*, 504  
3 U.S. 25, 33 (1992). Having reviewed Plaintiff’s Complaint, the Court finds that the facts  
4 alleged against Defendants rise to the level of wholly incredible. (*See* Doc. 1). The Court  
5 will therefore dismiss the Complaint.

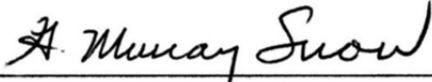
6 **IT IS THEREFORE ORDERED** that Plaintiff’s Application to Proceed in  
7 District Court without Prepaying Fees or Costs (Doc. 2) is **GRANTED**.

8 **IT IS FURTHER ORDERED** that pursuant to 28 U.S.C. § 1915(e)(2) Plaintiff’s  
9 Complaint (Doc. 1) is dismissed for failure to comply with Rule 8.

10 **IT IS FURTHER ORDERED** that the Clerk of Court is directed to **terminate**  
11 **this action**.

12 **IT IS FURTHER ORDERED** that Plaintiff **must show cause**, in writing, on or  
13 before **July 25, 2012**, why he should not be enjoined from filing in the United States  
14 District Court for the District of Arizona, without prior authorization of the Court, any  
15 complaint, lawsuit, or motion, unless the filing is accompanied by (a) a statement as to  
16 his basis for jurisdiction and venue being in the District of Arizona; and (b) evidence that  
17 he has obtained the permission of the Court for the filing.

18 Dated this 25th day of June, 2012.

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22 G. Murray Snow  
23 United States District Judge  
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