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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Casey R. Williams,

10 Plaintiff,

11 v.

12 Susan R. Bolton,

13 Defendant.  
14

No. CV-16-02508-PHX-DGC

**ORDER**

15  
16 Plaintiff Casey R. Williams commenced this action by filing a pro se complaint on  
17 July 26, 2016. Doc. 1. Plaintiff has also filed a motion to proceed in forma pauperis  
18 (Doc. 2), and a motion for speedy trial (Doc. 3). For the reasons that follow, the Court  
19 will dismiss the complaint and deny the other motions as moot.

20 In IFP proceedings, a district court “shall dismiss the case at any time if the court  
21 determines that . . . the action . . . fails to state a claim on which relief can be granted[.]”  
22 28 U.S.C. § 1915(e)(2). While much of § 1915 concerns prisoner litigation, § 1915(e)  
23 applies to all IFP proceedings. *Lopez v. Smith*, 203 F.3d 1122, 1126 n. 7 (9th Cir. 2000)  
24 (en banc). “Section 1915(e)(2)(B)(ii) . . . allows a district court to dismiss, sua  
25 sponte and prior to service of process, a complaint that fails to state a claim[.]” *Id.* at  
26 1130. A court dismissing under this statute “should grant leave to amend even if no  
27 request to amend the pleading was made, unless it determines that the pleading could not  
28 possibly be cured by the allegation of other facts.” *Id.* at 1127-29 (citations omitted).

1 Plaintiff's complaint suffers from multiple defects. First, Plaintiff fails to allege a  
2 basis for federal jurisdiction. He brings no federal claims, nor is there complete diversity  
3 among the parties. Plaintiff is an Arizona resident, and the only named defendant is  
4 Judge Susan R. Bolton of this Court. Second, although Plaintiff names Judge Bolton as a  
5 defendant, his complaint contains no factual allegations against her. Third, the complaint  
6 does not identify a plausible factual or legal basis for Plaintiff's claim. The complaint  
7 consists of a single paragraph that discusses the hardship of legal fees and costs, pain and  
8 suffering apparently attributable to other cases filed in this Court, and the need for  
9 witness protection. Doc. 1.

10 Plaintiff's complaint fails to state a claim upon which relief can be granted, and  
11 the Court would dismiss the complaint without prejudice were it not for a more serious  
12 defect. Judges acting in their judicial capacity are protected from civil lawsuits by  
13 absolute immunity. *See Mireles v. Waco*, 502 U.S. 9, 11 (1991). "[Judicial] immunity is  
14 overcome in only two sets of circumstances. First, a judge is not immune from liability  
15 for nonjudicial actions, *i.e.*, actions not taken in the judge's judicial capacity." *Id.* at 11.  
16 "Second, a judge is not immune for actions, though judicial in nature, taken in the  
17 complete absence of all jurisdiction." *Id.* at 12.

18 Plaintiff has filed other cases in this Court that have been dismissed for failure to  
19 state a claim. *See Williams v. Black*, 13-cv-1978-DGC, *Williams v. Arpaio*, 16-cv-2507-  
20 DLR. These cases have included fanciful allegations of war crimes, spying on Plaintiff  
21 by spy satellites, and demands for billions in damages. The Court concludes that Plaintiff  
22 can state no claim against Judge Bolton that would survive her absolute immunity, and  
23 therefore will dismiss this complaint without leave to amend.

24 **IT IS ORDERED:**

- 25 1. Plaintiff's complaint (Doc. 1) is **dismissed with prejudice**.
- 26 2. Plaintiff's request for IFP status (Doc. 2) is **denied as moot**.
- 27 3. Plaintiff's motion for speedy trial (Doc. 3) is **denied as moot**.

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4. The Clerk of Court shall terminate this action.

Dated this 7th day of September, 2016.



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David G. Campbell  
United States District Judge