

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

LEE R. MOORE MCHENRY

PLAINTIFF

v.

No. 4:12-cv-282-DPM

BARRY FRANK SWITZER

DEFENDANT

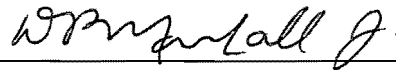
ORDER

McHenry moves to proceed *in forma pauperis*. In support of her application, she states that her gross income is \$240 monthly and that she has no other sources of income, no money in the bank, and no other assets. She lists no monthly expenses. The Court grants McHenry's motion, *Document No. 1*. 28 U.S.C. § 1915(a)(1).

But the Court must screen McHenry's complaint and dismiss it if the Court determines it is frivolous. 28 U.S.C. § 1915(e)(2)(B). A claim is factually frivolous "if the facts alleged are clearly baseless, a category encompassing allegations that are fanciful, fantastic, and delusional." *Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992) (citations and quotations omitted). In other words, dismissal is appropriate "when the facts alleged rise to the level of the irrational or the wholly incredible, whether or not there are judicially noticeable facts available to contradict them." 504 U.S. at 33.

McHenry's complaint is unintelligible. Her complaint consists of a random mix of legal words strung together. The Court cannot understand what legal claim(s) McHenry is pursuing and how the named defendant, Mr. Switzer, is involved. The case crosses the frivolous threshold established in *Denton*. The Court therefore dismisses McHenry's complaint, *Document No. 2*, without prejudice.

So Ordered.



D.P. Marshall Jr.
United States District Judge

