

FILED

JAN 13 2006

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MICHAEL R. ATRAQCHI and
IRENE S. ATRAQCHI,

Plaintiffs,

v.

Civil Action No. 06 0068

UNKNOWN NAMED AGENTS OF THE
FEDERAL BUREAU OF
INVESTIGATION, *et al.*,

Defendants.

MEMORANDUM

Michael R. and Irene S. Atraqchi have lodged a "civil rights verified complaint" with this Court, accompanied by a "motion requesting approval to file this complaint pursuant to Hon. Judge James Robertson order." The order to which that motion refers, entered March 26, 2004, in Civil Action No. 04-0473, denied a government motion for an order barring the Atraqchis from filing or prosecuting civil actions without leave of court. The order did, however, warn the Atraqchis that "monetary sanctions will be imposed if they continue to prosecute cases in this Court that violate Fed. R. Civ. P. 11(b)(1-4)."

An electronic query of the dockets of this Court returns twenty cases in which the Atraqchis have been plaintiffs, some of them filed here, others removed to this court from the Superior Court of the District of Columbia.* All have been dismissed. Each of the eight cases assigned to the undersigned judge (from Civil Action No. 00-2143 on) has been triggered by some incident in the lives of the Atraqchis – an altercation with someone in a supermarket, or a disrespectful word from a bank clerk -- that, in the unfortunate world view of the plaintiffs, was part of an intricate "field of interception of illegal wire communications and electronical surveillances" that has been "imposed" on them ever since Michael R. Atraqchi entered this country in 1958 and was subjected to wiretapping and surveillance "to convert him to Christianity from being a Muslim and to use him . . . to convert Muslims and establish a [Christian] Church from among the Muslim population."

(2)


6

The Atraghchis' most recent complaint asserts a Bivens claim against two "unknown named agents of the Federal Bureau of Investigation," the Director of the FBI, the FBI Agents Association, and a lawyer in Rockville who is apparently handling the defense of yet another Atraghchi suit, this one in Superior Court alleging an assassination attempt against Michael R. Atraghchi while under anesthesia in GW Hospital. The trigger for this suit was the alleged warrantless appearance in the Atraghchis' apartment in August 2005 of "two Unknown Named Agents of the FBI by the names of Eric and Tim," who accused Michael R. Atraghchi of being a terrorist and "threatened the Atraghchis with shutting off their air conditioning, and of physical harm and death" if they persisted in their Superior Court claim.

From there, the complaint spirals off, completely out of control, into allegations (inter alia) that Michael R. Atraghchi has been the subject of another assassination attempt; that the defendants "prostituted [the Atraghchis'] two daughters in Billings and Butte, Montana, Deadwood, South Dakota, Los Angeles, California, and Henderson, Nevada, and used the proceeds . . . to convert other Muslims . . . and to enrich themselves"; that the FBI agents ordered the execution by firing squad of two uncles in Baghdad, injected one of their daughters with "live streptococcus," killed Michael Atraghchi's two brothers in Iraq, and injected his sister and Irene Atraghchi's sister with carcinogenic drugs causing their deaths, to silence all of them; that the defendants disseminated "into the field of interception of illegal wire communications" that the Atraghchis have "incested their daughters, and granddaughter"; and that the defendants are destroying the Atraghchis' credit report.

The Atraghchis have not been forbidden from filing suit in this Court. It is clear from their affidavit of indigency, however, that they could not begin to pay the monetary sanctions that would certainly be imposed upon them under Rule 11 if this sadly delusional suit were permitted to go forward and the defendants were required to invest the time and money to defend it. The *in forma pauperis* provisions of 28 U.S.C. 1915 permit the dismissal of IFP cases found to be frivolous or malicious. I find no malice in the Atraghchis' complaint, only paranoia, but the suit is certainly frivolous. It will accordingly be filed, but immediately dismissed. An appropriate order accompanies this memorandum.

Date: 1/12/06


James Robertson
United States District Judge

* 92-1446, 98-2775, 99-0256, 99-0384, 99-0548, 99-0702, 99-0901, 99-0902, 99-1601, 99-2029, 00-1484, 00-2143, 00-2427, 03-0909, 03-0974, 03-1091, 04-0009, 04-0473, 04-1279.