

FILED

NOV - 4 2010

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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Odell Rutledge Jr.,)
)
Plaintiff,)
)
v.)
)
)
Timothy Geithner <i>et al.</i>)
)
Defendants.)

Civil Action No. **10 1892**

MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The application will be granted and the complaint will be dismissed pursuant to 28 U.S.C. § 1915A (requiring dismissal of a prisoner's complaint upon a determination that the complaint, among other grounds, is frivolous).

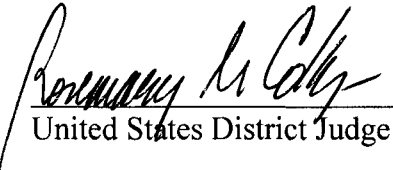
Plaintiff, a Florida inmate confined at the Jefferson Correctional Institution in Monticello, Florida, sues Treasury Secretary Timothy Geithner, the State of Florida, its Department of Corrections, and the Alachua County Courthouse in Gainesville Florida. He lists "thirty-seven (37) actions of high crimes and misdemeanors in a single count conspiracy," Compl. at 2, and seeks treble damages under the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §§ 1961 *et seq.*, exceeding \$9.2 million and his immediate release. *Id.* at 5. The complaint not only presents the type of fantastic or delusional scenarios found to justify immediate dismissal as frivolous, *Neitzke v. Williams*, 490 U.S. 319, 328 (1989); *Best v. Kelly*, 39 F.3d 328, 330-31

(RJ)

(D.C. Cir. 1994), but it is frivolous also because it lacks “an arguable basis in law and fact.”

Brandon v. District of Columbia Bd. of Parole, 734 F.2d 56, 59 (D.C. Cir. 1984). A separate Order of dismissal accompanies this Memorandum Opinion.

Date: November 3, 2010


United States District Judge