

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED
MAR 15 2013
Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

Matthew James Dury,)
)
 Plaintiff,)
)
 v.)
)
 Leon Panetta,)
)
 Defendant.)

Civil Action No. **13 0335**

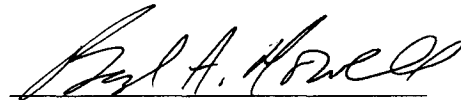
MEMORANDUM OPINION

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 fails to state a claim upon which relief may be granted or is frivolous).

Plaintiff is an inmate at the United States Penitentiary in Atwater, California, suing Secretary of Defense Leon Panetta. He captions this action "Civil Complaint of False Imprisonment and Treasonus [sic] Acts Committed by Leon Penetta [sic] in His Official Capacity to Assassinate Barrack [sic] Hussein Obama in 2007. Jury Trial Demanded." Plaintiff alleges that in 2007 while he "was serving as a Colonal [sic], Military Intelligence statione[d] at Naval Command" in Norfolk, Virginia, he "was ordered to liquidate Barrack Obama due to his tie to Reverend Jeremiah Wright and the known domestic terrorist group the Black Panthers." Compl. at 2. Plaintiff then seeks relief disconnected from the alleged misconduct that this Court in any event has no jurisdiction to grant. *See* Compl. at 2-3.

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In addition to stating no cognizable claim, the complaint presents the type of fantastic or delusional scenarios warranting dismissal of the case as frivolous. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *Best v. Kelly*, 39 F.3d 328, 330-31 (D.C. Cir. 1994); see *Crisafi v. Holland*, 655 F.2d 1305, 1307-08 (D.C. Cir. 1981) (“A court may dismiss as frivolous complaints . . . postulating events and circumstances of a wholly fanciful kind.”). A separate Order of dismissal accompanies this Memorandum Opinion.


United States District Judge

Date: February 26th, 2013