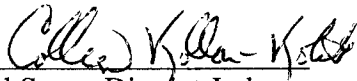


The most cogent allegation is that lead defendant Timothy Pivnichny, identified in the complaint as an FBI Special Agent, pointed a loaded handgun at plaintiff's fiancé during an interview with her in 2003 and 2004 to intimidate her. Compl. ¶ 1. Even if true, plaintiff lacks standing to pursue a claim arising from that incident. As to himself, plaintiff alleges, among other things, that Pivnichny “[l]ater . . . used his [intimidation] skills . . . to repair and cause to repair of an Orbit II DVD/CD Copier made by Microboards[,] [but] didn't know . . . that Plaintiff had called Microboards just prior to him confiscating the Microboards Orbit II . . . to let them know that the machine never worked and that he needed to return it to get repaired or replaced.” *Id.* Plaintiff further alleges that “when the Orbit II was next seen and demonstrated by Pivnichny amazingly the Orbit II worked. Pivnichny either fixed it or caused it to be fixed. In these two ways he set up [plaintiff].” *Id.* Allegedly, “[a]fter [plaintiff] attempted to expose Pivnichny . . .[,] agents of the CIA started bombarding him with a wireless signal to electronically harass him at the request of the FBI to retaliate for [plaintiff] having exposed the fact that Pivnichny set him up.” *Id.* Plaintiff then “relayed this information to Torsten Ove of the Pittsburgh Press Gazette,” who, “authored six sep[a]rate articles in the Post Gazette lambasting [plaintiff].” *Id.*

The instant complaint is premised on the type of fantastic and delusional scenarios warranting dismissal of the case under § 1915(e)(2)(B)(i) as frivolous. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see Best v. Kelly*, 39 F.3d 328, 330-31 (D.C. Cir. 1994) (a court may dismiss claims that are “essentially fictitious”-- for example, where they suggest “bizarre conspiracy theories . . . [or] fantastic government manipulations of their will or mind”) (citations and internal quotation marks omitted); *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.”). Furthermore, a frivolous dismissal is warranted when, as here, the

complaint 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.



United States District Judge

Date: June 18th, 2015