

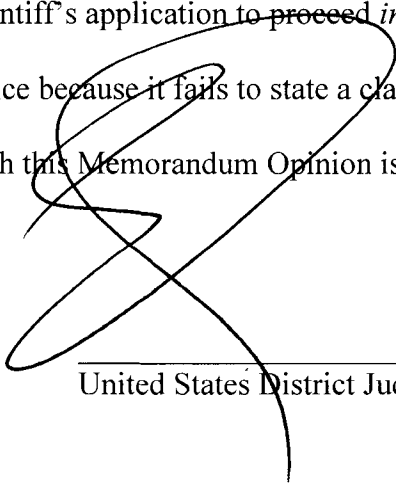


According to plaintiff, defendants falsely alleged that plaintiff belongs to “some type of organization,” Compl. ¶ 11, and he “has no way to determine what association the defendants have compelled [him] to belong to,” *id.* ¶ 12. Thus, defendants “have caused [plaintiff] egregious harm by possibly falsely alleging [he] belongs to an entity he has nothing to do with,” *id.* ¶ 18, supposedly in violation of rights protected under the First, Fourth, Fifth, Sixth, and Eighth Amendments to the United States Constitution, *see id.* ¶¶ 24-33, and in violation of the Administrative Procedure Act, *see id.* ¶¶ 34-35. Missing from the complaint are any factual allegations to support a claim for the violations alleged. Plaintiff does not identify the group with which he is associated, and, for example, does not allege facts to show that this erroneous association violates his “rights to be free from excessive bail and cruel and unusual punishment[.]” *Id.* ¶ 32. Nor does plaintiff identify an agency decision, arbitrary or otherwise, which “cause[d] terror and trauma,” *id.* ¶ 34, or which is subject to judicial review under the Administrative Procedure Act, *see id.* ¶ 34.

Therefore, the Court will grant the plaintiff’s application to proceed *in forma pauperis* and will dismiss the complaint without prejudice because it fails to state a claim upon which relief can be granted. An Order consistent with this Memorandum Opinion is issued separately.

DATE:

4/12/18



United States District Judge