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AUG 20 2018

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

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ROBERT 'SOLIDER' HEARD,)
)
 Plaintiff,)
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)
 DEPARTMENT OF JUSTICE, *et al.*,)
)
 Defendants.)

Civil Action No. 1:18-cv-01848 (UNA)

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint ("Compl.") and application for leave to proceed *in forma pauperis*. The Court will grant the *in forma pauperis* application and dismiss the case pursuant to 28 U.S.C. § 1915(e)(2)(B), which allows for dismissal of a plaintiff's complaint which fails to state a claim upon which relief can be granted or is frivolous or malicious.

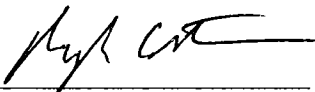
"A complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009), quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). A complaint that lacks "an arguable basis either in law or in fact" is frivolous, *Neitzke v. Williams*, 490 U.S. 319, 325 (1989), and a "complaint plainly abusive of the judicial process is properly typed malicious," *Crisafi v. Holland*, 655 F.2d 1305, 1309 (D.C. Cir. 1981).

Plaintiff sues the Department of Justice, "Gainesville, Georgia," and other non-specific defendants. Compl. at caption. The complaint is confused, rambling, and incomprehensible. Plaintiff alleges that defendants have created [sic] "... a mind controlling mechanism that incudes

altered brain waves that in turn creates altered patterns of thought injected by cyber technology that is used in and with astral protection, telekinesis is an adept-level alteration spell.” *Id.* at 3. He seems to allege that he and others are telepathically brainwashed and induced to commit acts outside of their control. *Id.* He seeks \$500,000 to \$1,000,000 in damages and asks the Court to “. . . conduct a thorough investigation of every averment . . . until [plaintiff is] satisfied . . .” *Id.* at 5.

A court may dismiss a complaint as frivolous “when the facts alleged rise to the level of the irrational or the wholly incredible,” *Denton v. Hernandez*, 504 U.S. 25, 33 (1992), or “postulat[e] events and circumstances of a wholly fanciful kind,” *Crisafi*, 655 F.2d at 1307-08. In addition to failing to state a claim for relief, the instant complaint is deemed frivolous on its face. Consequently, the complaint and this case will be dismissed. A separate Order accompanies this Memorandum Opinion.

Date: August 16, 2018


United States District Judge