

FILED

SEPT, 8, 2021

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

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

PATRICK CHRISTIAN,)
)
Plaintiff,)
)
v.)
)
DEMOCRATIC PARTY, *et al.*,)
)
Defendants.)

Civil Action No. 21-2281 (UNA)

MEMORANDUM OPINION

This matter is before the Court on plaintiff’s application to proceed *in forma pauperis* and his *pro se* civil complaint. The application will be granted, and the complaint will be dismissed.

According to plaintiff, two political parties are responsible for any number of this nation’s ills, to include the ongoing oppression of minorities, the spread of diseases, gerrymandering and politicians’ failure to fulfill promises made during campaigns. *See generally* Compl. at 3- 10. Plaintiff brings this action under 18 U.S.C. § 242, *see id.* at 1, and “prays for relief that his intangible property records are made available, so it can be claimed, and all those involved in conspiracy are held accountable,” *id.* at 12.

While the Court certainly can understand plaintiff’s frustration with the current state of affairs in the country, there is no private right of action under the code provision on which plaintiff relies,. *See Beeson v. South Carolina*, No. 2:16-CV-1164, 2016 WL 4394506, at *3 (D.S.C. July 13, 2016) (finding that 18 U.S.C. §§ 241, 242, 371, 2384, and 2385 are “criminal statu[t]es that do not give rise to civil liability or authorize a private right of action”), *report and recommendation adopted sub nom. Beeson v. State of South Carolina*, No. 2:16-CV-1164, 2016 WL 4370032 (D.S.C. Aug. 12, 2016); *Rockefeller v. U.S. Court of Appeals Office for Tenth Circuit Judges*, 248

F. Supp. 2d 17, 23 (D.D.C. 2003) (“[T]he plaintiff is precluded from asserting any claims pursuant to 18 U.S.C. §§ 242 and 371 because, as criminal statutes, they do not convey a private right of action.”).

The complaint will be dismissed because it fails to state a claim upon which relief can be granted. An Order consistent with this Memorandum Opinion is issued separately.

DATE: September 8, 2021

/s/

AMY BERMAN JACKSON
United States District Judge

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

JAMES GENCARELLI,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.
)	
DEMOCRATIC NATIONAL COMMITTEE, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that the plaintiff's application to proceed *in forma pauperis* is GRANTED;
and it is

FURTHER ORDERED that the complaint and this civil action are DISMISSED
WITHOUT PREJUDICE.

This is a final appealable Order. *See* Fed. R. App. P. 4(a).

SO ORDERED.

United States District Judge

DATE: