UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

ΓARA MIKENAS,)
	Plaintiff,)) Civil Action No. 1:23-cv-00960 (UNA
v.)
LENO MIKENAS,)
	Defendant.)

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's application for leave to proceed *in forma pauperis*, ECF No. 2, and *pro se* complaint, ECF No. 1. The Court will grant the application and dismiss the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), by which the Court is required to dismiss a case "at any time" if it determines that the action is frivolous.

"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 the Court cannot exercise subject matter jurisdiction over a frivolous complaint, Hagans v. Lavine, 415 U.S. 528, 536-37 (1974) ("Over the years, this Court has repeatedly held that the federal courts are without power to entertain claims otherwise within their jurisdiction if they are 'so attenuated and unsubstantial as to be absolutely devoid of merit.") (quoting Newburyport Water Co. v. Newburyport, 193 U.S. 561, 579 (1904)); Tooley v. Napolitano, 586 F.3d 1006, 1010 (D.C. Cir. 2009) (examining cases dismissed "for patent insubstantiality," including where plaintiff allegedly "was subjected to a campaign of surveillance and harassment deriving from uncertain

origins."). Consequently, a Court is obligated to 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 v. Holland, 655 F.2d 1305, 1307-08 (D.C. Cir. 1981). The instant complaint satisfies this

standard.

The defendant is plaintiff's father, and he allegedly has kept plaintiff "in a cage/bubble"

for the purpose of exploiting her financially "with a team of human traffickers." Compl. at 1.

According to plaintiff, defendant has collected over \$1 million from plaintiff's work and

allegedly receives money from another individual who, in turn, receives money "from Saudis,

Iranian, Leo, Omar, in MN." Id. Plaintiff is "suing for emotional + physical damages over one

million dollars." Id. Given its irrational and fanciful allegations, this complaint is frivolous on

its face and, therefore, it will be dismissed without prejudice.

An Order is issued separately.

/s/

TANYA S. CHUTKAN

United States District Judge

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DATE: April 19, 2023

2