## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

)
) (Civil Action No. 1,22 ov 02115 (UNA)
) Civil Action No. 1:23-cv-02115 (UNA)
)

## **MEMORANDUM OPINION**

This matter is before the Court on its initial review of plaintiff's *pro se* complaint, ECF No. 1, and application for leave to proceed *in forma pauperis*, ECF No. 2. The Court will grant the *in forma pauperis* application and dismiss the case 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 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, a resident of the District of Columbia, sues 18 defendants for damages, although how the defendants are connected to one another, or how the intended claims are connected to the defendants, if at all, is impossible to decipher. The complaint fails to formally comply with Federal Rule 10(a) and D.C. Local Civil Rule 5.1(d), (e), and (g), and is largely incomprehensible, covering

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a wide range of disparate topics, and is comprised mostly of personal ruminations and conspiracy

theories.

This 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 the

plaintiff allegedly "was subjected to a campaign of surveillance and harassment deriving from

uncertain origins."). So 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, 655

F.2d at 1307–08. The instant complaint falls squarely into this category. In addition to failing to

state a claim for relief or establish this Court's jurisdiction, the complaint is frivolous on its face.

Consequently, this case will be dismissed without prejudice. A separate order accompanies

this memorandum opinion.

Date: 7/31/23

TREVOR N. McFADDEN United States District Judge