

MAY 04 2010

JAMES N. HATTEN, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

J. Reed Deputy Clerk

SERGIO HERRERA, :
Plaintiff, : PRISONER CIVIL RIGHTS
 : 28 U.S.C. § 1331
v. :
 : CIVIL ACTION NO.
SIX UNKNOWN NAMED : 1:10-CV-1042-MHS
AGENTS and PRESIDENT :
BARACK OBAMA, :
Defendants. :

ORDER AND OPINION

In this 28 U.S.C. § 1331 *pro se* civil rights complaint, Plaintiff, currently confined at Airpark Unit Correctional Center in Big Spring, Texas, has submitted a single page of mostly unrelated and incoherent phrases. (Doc. 1 at 1.) The complaint does list the following two requests for relief: (1) “review by the writ of certiorari” all of the “final judgments” by Supreme Court Justice Samuel Alito, Jr.; and (2) money damages. (*Id.*) The complaint also contains a 38-page list of other federal prisoners and/or detainees who Plaintiff seeks to name as additional plaintiffs. (*Id.* at 2-39.) Plaintiff asks that these prisoners be given separate hearings, and that these hearings be televised. (*Id.* at 2-5.)

Plaintiff previously filed a civil rights action that is nearly a verbatim copy of this action. *See Herrera v. Six Unknown Named Agents*, Civil Action No. 1:10-

CV-0701-MHS (N.D. Ga. Mar. 31, 2010). On March 31, 2010, the previous action was dismissed as frivolous. *Id.*, Docs. 2 and 3. For the reasons given in the Order dismissing Plaintiff's previous civil action, this action should also be dismissed as frivolous, pursuant to 28 U.S.C. § 1915A.

IT IS ORDERED that this *pro se* civil rights complaint [Doc. 1] is **DISMISSED**, pursuant to 28 U.S.C. § 1915A. For the purpose of dismissal only, Plaintiff is **GRANTED** leave to file this action *in forma pauperis*.

IT IS SO ORDERED, this 4 day of May, 2010.



MARVIN H. SHOOB
UNITED STATES DISTRICT JUDGE