

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Samuel Der-Yeghiayan	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	12 C 324	DATE	1/24/2012
CASE TITLE	Sheik Abdul-Musawwir Shakoor-Bey vs. James M. Obbish, et al.		

DOCKET ENTRY TEXT

For the reasons stated below, the instant action is hereby ordered dismissed. Plaintiff's motion for leave to proceed in forma pauperis [4] is denied as moot. Civil case terminated.

■ [For further details see text below.]

Docketing to mail notices.

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This matter is before the court on Plaintiff Sheik Abdul-Musawwir Shakoor-Bey's (Shakoor-Bey) motion for leave to proceed *in forma pauperis*. Pursuant to 28 U.S.C. § 1915(e) (Section 1915(e)), "[n]otwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that . . . the action . . . fails to state a claim on which relief may be granted. . . ." *Id.* Shakoor-Bey has filed a complaint *pro se*, and thus the court construes the complaint liberally. *McCormick v. City of Chicago*, 230 F.3d 319, 325 (7th Cir. 2000)(stating that "*pro se* complaints are to be liberally construed and not held to the stringent standards expected of pleadings drafted by lawyers").

In his *pro se* complaint, Shakoor-Bey alleges that he is a Moorish American National. Shakoor-Bey also alleges that on February 11, 2011, Chicago Police Officers arrested him, fingerprinted him, and charged him with a crime under the name Abul Masww Bey, which he claims is "fictitious." (Compl. 4). Shakoor-Bey further alleges that the state prosecuted him for a crime and that such prosecution was an "unlawful/illegal denationalization tactic[]" done "to extract riches of this world." (Compl. 4). In addition, Shakoor-Bey alleges that, as a foreign citizen, any proceeding against him initiated by the state, including

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criminal proceedings, “must originate in the Supreme Court of the United States;” otherwise, the state has committed a tort against him. (Compl. 2). Shakoor-Bey has sued for injunctive relief and \$100,000.00 in compensatory and punitive damages.

Not only are Shakoor-Bey’s claims based upon an incorrect reading of the United States Constitution, his claims are also dependent upon his assertion that he is a foreign citizen by virtue of his membership in the Moorish Science Temple of America. The Seventh Circuit has clearly rejected such arguments. *See, e.g., United States v. James*, 328 F.3d 953, 954 (7th Cir. 2003). In addition, to the extent that Shakoor-Bey is seeking to appeal a state court criminal conviction, this court is not the proper forum for such an appeal. Even when construed liberally, Shakoor-Bey’s complaint fails to state a claim upon which relief may be granted. Therefore, based on the above, the instant action is dismissed, and Shakoor-Bey’s motion for leave to proceed *in forma pauperis* is denied as moot.