

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

| | | |
|---------------------|---|-------------------------------|
| HOMER E. HOSKINS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 1:15-cv-0368-TWP-MJD |
| |) | |
| TENTH and MERIDIAN, |) | |
| |) | |
| Defendant. |) | |

**Entry Denying Motion to Proceed *In Forma Pauperis*, Dismissing Complaint,
Warning Plaintiff to Stop Filing Frivolous Claims, and
Directing Entry of Final Judgment**

I. Motion to proceed *in forma pauperis*

The plaintiff’s motion to proceed *in forma pauperis* [dkt. 2] is **denied** because the form is blank and not signed. The plaintiff continues to owe the \$400.00 filing fee.

II. Screening of Complaint

The complaint is subject to the screening requirement of 28 U.S.C. § 1915(e)(2)(B). This statute requires the Court to dismiss a complaint or claim within a complaint if it is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief.

The complaint alleges, to the extent decipherable, that “I was at the Tenth and Meridian inside Building and was asked to leave by a black man I was waiting for police because a man was asking [unintelligible].” The defendant is Tenth and Meridian. The plaintiff seeks \$1 trillion dollars and ownership of the building.

A complaint that is wholly insubstantial does not invoke the district court’s subject-matter jurisdiction. *See Steel Co. v. Citizens for a Better Env’t*, 523 U.S. 83, 89 (1998); *In re African-*

American Slave Descendants Litigation, 471 F.3d 754, 757 (7th Cir. 2006) (“A frivolous federal law claim cannot successfully invoke federal jurisdiction.”). Pursuant to 28 U.S.C. 1915(e)(2)(B)(i) an action that is frivolous may be dismissed. This action is frivolous. This complaint does not allege a basis for subject matter jurisdiction, nor is there any discernible federal jurisdiction for the plaintiff’s claim. A building located at the corner Tenth and Meridian is not identifiable nor alleged to be a state actor, and the claim is not based on any federal law. Even the damages sought is frivolous.

This complaint warrants no further judicial time, and it is one of at least 35 cases and counting that the plaintiff has filed, mostly against private citizens, within the past month. The action is dismissed for lack of jurisdiction. Judgment consistent with this Entry shall now issue.

The plaintiff is abusing the Court’s limited resources and if he fails to stop filing frivolous claims and claims that lack federal jurisdiction, the Court will soon issue appropriate sanctions.

IT IS SO ORDERED.

Date: 3/11/2015



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

Homer E. Hoskins

For Pick Up In Clerk’s Office, Room 105 Courthouse