

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
(at Lexington)

PAUL LEE CARTER, JR.,)	
)	
Plaintiff,)	Civil Action No. 5: 19-404-DCR
)	
v.)	
)	
UNITED STATES DISTRICT COURT)	
FOR THE EASTERN DISTRICT OF)	MEMORANDUM OPINION
KENTUCKY,)	AND ORDER
)	
Defendant.)	

*** **

Paul Lee Carter, Jr., is a resident of Lexington, Kentucky. Proceeding without an attorney, Carter has filed a handwritten Complaint along with numerous attached documents [Record No. 1], as well as a motion for leave to proceed *in forma pauperis* [Record No. 3], “motion to receive justice” [Record No. 4], and a “motion to receive ten million that was awarded from the United States Court at Lexington” [Record No. 5].

Carter’s submissions are very difficult to follow. However, it appears that Carter disagrees with decisions previously reached by this Court over eight years ago in a civil case involving malicious prosecution claims. *See Paul Carter, Jr. v. Tom Porter, et al.*, No. 5:08-cv-246-REW (E.D. Ky. 2011). But rather than appeal the Court’s Judgment to the United States Court of Appeals for the Sixth Circuit, it seems that he pursued a separate action in state court. [Record No. 1-1] It also appears that those state proceedings have

now concluded [Record No. 1-1 at 34] and, thus, Carter is seeking further relief from this Court. Still, Carter's allegations are largely unintelligible.

Carter indicates that he is suing "the United States District Court of Lexington, Ky." for "\$50.00 million dollars," and adds that "everyone is being charged with miscarriage of justice & misconduct." [Record No. 1-1 at 2] Carter claims that there has been "serious unlawful behavior by public officers in relation to there [sic] duties and the U.S. District Court Judge as well," before saying, "Everyone is breaking the law." [Record No. 1-1 at 2] He then alleges repeated violations of an unspecified "Hand Book" and claims that unknown individuals have violated their oaths of office and/or committed perjury. [Record No. 1-1 at 3] And these are just some of Carter's numerous allegations.

While the Court has reviewed Carter's submissions, it is clear his allegations are frivolous and devoid of merit or, at the very least, they no longer open to discussion given that his underlying claims were resolved years ago. Thus, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, the Court will summarily dismiss Carter's Complaint. *See Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999) (indicating that a district court may dismiss a complaint *sua sponte* for lack of subject matter jurisdiction where the allegations contained within are "totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.").

Accordingly, it is hereby **ORDERED** as follows:

1. Carters' Complaint [Record No. 1] is **DISMISSED** with prejudice.
2. All pending motions are **DENIED** as moot.
3. This matter is **STRICKEN** from the Court's docket.

Dated: October 3, 2019.



A handwritten signature in black ink, appearing to read "Danny C. Reeves".

Danny C. Reeves, Chief Judge
United States District Court
Eastern District of Kentucky