

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE**

**DENDRE HOPSON**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO. 3:12CV-729-H**

**STEVE BRIESHER *et al.***

**DEFENDANTS**

**MEMORANDUM OPINION**

Plaintiff, Dendre Hopson, proceeding *pro se, in forma pauperis* has filed a “Civil Rights Act” complaint (DN 1). This matter is before the Court for screening pursuant to 28 U.S.C. § 1915(e)(2) and *McGore v. Wigglesworth*, 114 F.3d 601, 608-09 (6th Cir. 1997). For the reasons set forth below, the action will be dismissed.

**I. SUMMARY OF CLAIMS**

Plaintiff names 43 Defendants in this action. He lists them as follows: 1) Steve Briesher; 2) Ron Smith; 3) Kentucky Attorney General; 4) Interchange Law Firm; 5) Susan Gibson; 6) Charlie Cunningham; 7) Commonwealths Attorneys Office; 8) Louisville Metro Police Department; 9) Stephanie Burke; 10) Brain Edwards; 11) James Shakes; 12) John Blavinavich; 13) Jay Wydell; 14) Charles Hadgan; 15) “Louisville Sherrifs Department”; 16) Frank Mescagni Law Office; 17) Recole Oneal; 18) Ruth Spencer; 19) Auguair Law Office; 20) Benny Berry; 21) Benny Lightsey; 22) Debbrah Lightsey; 23) Adam Solinger; 24) “Robert Hump Robert Klienfield(Florida)”; 25) Dr. Robert Solinger; 26) Judge Collins; 27) Gary Huffman; 28) Indiana Attorney General; 29) Casey McCall; 30) Kamniesh Law Office; 31) Niel Roy; 32) Scott Barton; 33) Ms. Barton (Intake Warrant Office); 34) U of L Hospital; 35) Emory Hospital (Atlanta); 36) Baptist East Hospital (Louisville Ky); 37) Floyd Memorial; 38) Domestic Violence Unit; 39) Child Protective Services in Louisville; 40) “Judge Stringer(Family Court Judge)”; 41) “FBI

Station in Louisville Also A T F Unit (Louisville Ky)”; 42) Department of Justice; and 43) Secret Service Location in Louisville.

Plaintiff states that this is a “Civil Rights Act” action. He further appears to set forth the jurisdictional basis of this action as follows:

These defendants are all into federal extortion of Deandre Hopson, other acts that is taking place is serious case of tampering wit witness, obstructing of justice to the extreme, money laundering to use in voteing race for seats, intimidation on voteing, black mail, murder, rape false statements by detective to grand jurys defrauding our government for useless cort proceedings, prosecial mis conduct, abuse of cort proceedings, False Claim Acts, tampering wit court documents, racketeering, depriving a person of they human right of liberty also protection from terroist activitys, war crimes and statagies, legal kidnapping. These are some of the facts taking place to end my life also to still all my insurance claim as was done to the Youth Alive Childrens family the Claybrooks and Shields family same method being done to extort Deandre Hopson.

Plaintiff includes a section in his complaint captioned “Cause of action.” This section includes over eight pages of single-spaced, capitalized allegations against Defendants.

Plaintiff’s allegations include the following:

Steve Brisher uses a person named Ron Smith . . . also Beeny Berry to hide houses for officals to avoid taxes. Also ,to inject terrorism in our communities . . . Attorney General has the power to get investagations done but will not contact military officals to come help ,when city is in imment need for security for our children . . . Interchange Law Office is in complete conflict of interest because of attorneys were representing me in same case of soler chargers . . . Susan Gibson is in total conflict of interest for being my judge from day one, she was my prosecutor in case 96.CR.002021 . . . untrustworthy also a thret to public safty also using government tax payers money defrauding the government on abuseive court proceduers and setting up kangaroo courts . . . Charlie Cunningham is a judge that no matter the situation he is on thr prosucuyers side to the end . . . Louisville Metro Police Department for not taking any of my call ins serious, allowing what ever to happen to me . . . for destroying my relation ship wit my girlfriend . . . Stephanie Burkie was the judge in distric court who on Megan Pleasant case denied these young ladies any protection from these Benny Beery guy . . . Brain Edwards is a judge who was allowing Ahren Whaley to go forward wit a case which I didn’t commit or I didn’t put in court under my name . . . James Shakes was judge who is also setting up a kangaroo court to minipulate these insurance claim plot wit Kentucky Farm Bureau

to try and dismiss it knowing it is not real court . . . John Blavenavich is prosecutor used to prosecute these charges knowing that they are false and wont drop cases .used to hold them on me to control me and get the attorneys to charge me money breaking me stealing my saved earnings . . . Jay Wydall is attorney who is in direct conflict of interest of using stolen insurance money to build a law firm . . . Charles Hadgan was attorney used to try and get me to plea to a charge I didn't want to try later to railroad me to the pen . . . then try to have Ruthann Spencer who is part of the terrorist cult then lie on me to put me inside of an accident she had trying to frame me to take that charge but she walks in court rooms every time I go with a domestic violence warrant on her and another warrant and they don't arrest her . . . also they gave her my children custody and she wasn't even in family court she missed the whole court hearing and I even explained she was into racketeering with these folks endangering my small children . . . Louisville Sheriff's Department has never notified me of any court dates to appear to testify to the grand jury on behalf of them robbing and assaulting me but switched cases with me and Ruth Ann Spencer case numbers to get their bond money back . . . Frank Mscagni was my attorney who stole all my money and then never notified me of any testifying dates ,but later took more money and never signed up my drug case . . . Reole Oneal was name Ruth Spencer told me to use so she could later go back and cash in my lawsuit with Sam and I could never get a copy of the check when I found out what she was up to setting me up with these terrorists to rob me blind . . . Ruth Spencer is my baby's mother, she was always a problem due to I had to get her an abortion a year ago for cheating on me ,that's when I use to come home from studio and find ties on my floor like someone was tying her up . . . there is no reason she is back at my mom's house but to try to cause some kind of trouble to try and paint a false picture like all the rest of these false acts by government and their penitentiary agents they hired to manipulate people on the street and take their money and commit murders and lot of other false claims to rob the public directly or indirectly . . . I released an album from Aone Entertainment last year and she made a call in my car and told me not to release the album cause I would have trouble but I did anyway and the next couple of hours a person died on 37 and Broadway ,I had a picture of that street on my album cover . . . I let them record for free to set them up for evidence later to be heard by every one,they were directly talking to me in the music trying to exploit me and cause a problem that's when I knew they were after me from that point threw the music and their own words , and she was a part of the madness then . . . Augair Law Firm was in direct conflict of interest from start , he was Youth Alive's attorney also he was also my attorney which means Denise Rainey was responsible for the four children being put in that car to get killed to get wrongful death lawsuits . . . Benny Berry is a sick psycho path with a very manipulative mind, he is psychological and very dangerous person as his past records will show that ,he promotes the type of social influence that aims to change the perception or behavior of others through undermining and deceptive or even abusive tactics . . . Benny Lightsey used as a person down the chain from Ron Smith who was appointed by the Governor himself to racketeer for top officials renting out homes so elites wont have to pay taxes . . .

Adam Solinger is a master mind in keeping all the books for these whole secret faterinty . . . also tried to get me killed working for him passing out flyers . . . Terill Grey told me to stop working for the Golden Jew ,which is Adam Solinger from Cash Crash ,Because the guy was jealous of my relations to the community and wanted to use me for a blod sacafice to up his buisness sales . . . Fred G Thomas was a producer for Aone Entertainment , produceing beats and other material for my company,he tampered wit the gas lines which im next to a gas staion and tried to blow up my studio . . . these was for sure a terrorist attack . . . state officials were behind these plot also . . . Robert Klien Field was a doctor from Florida that all these people worked for . . . Gary Huffman is used to apply false statements to the grand juries to get false inditements ,as he targets black males to then extortion what the elites ask for ,for a kick back in return . . . these folks are paper gangsters they pimp you threw court . . . Keith Kemnieh Law Firm is the target were extortion is key . . . Casey McCall is main attorney of fraud playing on my side one second to gain all my information and then flipping to the other side to warn and work wit Mark Chandler Benny's favirite racketeering buddie . . . County Clerks also Chief Deputy Clerks were both caught tampering wit court documents ans eraseing court records to try to help defendents railraod me to jail . . . Judge Collins is a simply bad judge only in position to railroad folks . . . also bad mouth wit curse words and profanity,knowing that she don't talk to her children that way . . . Indiana Atoorney General , I filed a racketeering case in Indiana to try to help my innocent children from being exploited by these sic folks . . . a Holt Holucust to call the milatry if your chicken to act yourself, you can tell these also was a member of terrorist cause they not trying to protect Ammerican citizens . . . Uof L Hospital has tampered wit physical evidence which is me by placeing a forieng object in my face on surgerys done on 10.22.10 to cover up damages done by Benny Berry and Benny Lightsey also will not treat me our take it out don't know if they instored a tracking device . . . also to have terrorist activity inside working for them.Jewish Hospital,Emory Hospital in Atlanta, Baptist East in Atlanta , Floyd Momorial, ear mouth an throat in Indiana all refused to give me serious medical treatment due to not wantin to go behind U of Ls work to be left ou to die and in level 10 PAI as well as cant call the police fa help kangaroo courts being set up to rairoad me to prision is a crime against humanity should be token to milatary court or international courts.

As relief, Plaintiff seeks punitive damages and “intentional infliction of emotional disturbance” damages in the amount of twenty million dollars from each Defendant. He also seeks pain and suffering, monetary damages, and special damages in the amount of ten million dollars from each Defendant.

## II. ANALYSIS

Upon review under 28 U.S.C. § 1915(e), a district court must dismiss a case at any time if it determines that the action is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B). Rule 12(h)(3) of the Federal Rules of Civil Procedure allows *sua sponte* dismissal of an action at any time that the court determines that it lacks subject-matter jurisdiction. Additionally, “a district court may, at any time, *sua sponte* dismiss a complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure when the allegations of a complaint are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.” *Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999) (citing *Hagans v. Lavine*, 415 U.S. 528, 536-37 (1974)).

In order to survive dismissal for failure to state a claim, “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] district court must (1) view the complaint in the light most favorable to the plaintiff and (2) take all well-pleaded factual allegations as true.” *Tackett v. M & G Polymers, USA, LLC*, 561 F.3d 478, 488 (6th Cir. 2009) (citing *Gunasekera v. Irwin*, 551 F.3d 461, 466 (6th Cir. 2009) (citations omitted)).

“But the district court need not accept a ‘bare assertion of legal conclusions.’” *Tackett v. M & G Polymers, USA, LLC*, 561 F.3d at 488 (quoting *Columbia Natural Res., Inc. v. Tatum*, 58 F.3d 1101, 1109 (6th Cir. 1995)). The court’s duty “does not require [it] to conjure up unpled

allegations,” *McDonald v. Hall*, 610 F.2d 16, 19 (1st Cir. 1979), or to create a claim for a plaintiff. *Clark v. Nat’l Travelers Life Ins. Co.*, 518 F.2d 1167, 1169 (6th Cir. 1975). “[A] plaintiff’s obligation to provide the ‘grounds’ of his ‘entitlement to relief’ requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action.” *Bell Atl. Corp. v. Twombly*, 550 U.S. at 555 (citation omitted). A complaint must contain “more than an unadorned, the-defendant-unlawfully-harmed-me accusation.” *Ashcroft v. Iqbal*, 556 U.S. at 678.

Plaintiff’s complaint almost exclusively contains broad and conclusory allegations that are not entitled to the assumption of truth. *See Abner v. Focus: Hope*, 93 F. App’x 792, 793 (6th Cir. 2004) (stating that the court is not “required to accept non-specific factual allegations and inferences or unwarranted legal conclusions”). These conclusions are not supported by factual allegations that would “plausibly give rise to an entitlement to relief.” *Ashcroft v. Iqbal*, 556 U.S. at 679. Plaintiff’s complaint is rambling, disjointed, implausible, and fails, as it is required to do, to contain “either direct or inferential allegations respecting all the material elements to sustain a recovery under *some* viable legal theory.” *Scheid v. Fanny Farmer Candy Shops, Inc.*, 859 F.2d 434, 436 (6th Cir. 1988) (quoting *Car Carriers, Inc. v. Ford Motor Co.*, 745 F.2d 1101, 1106 (7th Cir. 1984)). While Plaintiff states that this is a “Civil Rights Act” complaint, it is unclear to which statute Plaintiff is referring,<sup>1</sup> and he alleges no discrimination. Therefore, this

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<sup>1</sup>The Civil Rights Act of 1964 (“CRA”) guarantees equal voting rights by removing registration requirements and procedures biased against minorities, 42 U.S.C. § 1971(e); prohibits segregation or discrimination in places of public accommodation involved in interstate commerce, 42 U.S.C. § 2000a; deals with the desegregation of public schools, 42 U.S.C. § 2000c *et seq.*; mandates nondiscrimination in the distribution of funds under federally assisted programs, 42 U.S.C. § 2000d; and bans discrimination by trade unions, schools, or employers involved in interstate commerce or doing business with the federal government, 42 U.S.C. § 2000e *et seq.*

action must be dismissed for failure to state a claim upon which relief may be granted and for lack of subject-matter jurisdiction.

The Court will enter a separate Order of dismissal.

Date: March 19, 2013

A handwritten signature in black ink, appearing to read "John G. Heyburn II", is written over a circular seal of the United States District Court. The seal features an eagle with wings spread, perched on a shield, with the words "UNITED STATES DISTRICT COURT" and "ESTABLISHED 1789" around the perimeter.

**John G. Heyburn II, Judge  
United States District Court**

cc: Plaintiff, *pro se*  
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