

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

GENE DESHAWN M. WATKINS

PLAINTIFF

v.

CIVIL ACTION NO. 3:19-CV-826-CRS

WAVE 3 et al.

DEFENDANTS

MEMORANDUM OPINION

Plaintiff Gene DeShawn M. Watkins filed a pro se complaint (DN 1) and amended complaint (DN 5). Because Plaintiff is proceeding in forma pauperis, the Court must review his pleadings pursuant to 28 U.S.C. § 1915(e)(2). For the reasons that follow, the action will be dismissed.

I.

Plaintiff filed his complaint and amended complaint on a Court-approved form for filing a civil case. As Defendants, he names WAVE 3 and the following news reporters: Lauren Jones, Phylicia Ashley, Taylor Durden, and Caton Bradar.

In the complaint,¹ Plaintiff alleges as follows:

I brought down the unemployment rate I brought cures prosperity to this country I am runnin the stock exchange and Louisville local news know nothing about me nothin they gettn leaks about me from the feds it been 20 yrs NBC made billions off of one Idea that octive ray found oil, gold, diamonds I the reason y this country have an oil boom cuz they camera's that the feds are usin can see threw rock, clothes, ground, walls NBC owes me money and this is slavery they have a motive for my sisters death that was to intemedate me to tell me if you tell same will happen to you I came up w/a horse run thats winnin I make over 30 K zero's a Day Cramer from CNBC sho me on his score board everyday how much I make everyday and local news dont know about me NBC took my invention sold it to the US gov and then took my invention to China where they steal IP this is Grand larceny . . . NBC is crooked and these courts R racially bias you know that NBC has been black

¹ Plaintiff's amended complaint only lists Defendants and does not provide any facts or claims.

mailin agents for 2 decades how they blk mail them they got caught w/o cordentials havin sex they got agent talkin about they havin sex in music . . . NBC Been stealin from me for 2 decades and I make women have orgasms w/o touchin and for 2 decades NBC Been passin out them gov earphones to who ever work for NBC they owe me back pay its obstruction . . . they bought judges prosecutors cuz NBC put federal prosecutors on their shows on MSNBC they own the president they owned Bush Jr they own Barack Obama . . . NBC owes me back pay for my Gift to make women have orgasms w/o touchin I transmit threw federal bugs been doing it for 20 years NBC been havin that federal technology and local news like WAVE 3 cant lie cuz I donated Billions to blk achievers, urban league, Duval clinic, home of the innocent and dare to care and I havent got my money cuz news stations take leaks from the feds . . . [NBC] started a oil boom in the United States gave my money to Warren Buffett . . . I sent my defense in Rhymin form against the FBI well NBC took them rhymes and had chance the rapper Rhyme em now NBC made a fortune off of me and never gave me a dime thats Grand larceny Gross neglance cuz WAVE 3 wont report me cuz they crooks and they took my money and reinvested it in their business racial Discrimination I seen white ppl get on WAVE 3 for stupid stuff and I came up with the cure for cancer that NBC bought for 84 Bil . . . I wrote rhymes to BET they took my rhymes and made money w/it it went gold it was sold on mix tapes for 20 yrs I been makin Billions and never got a dime

II.

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).

A claim is legally frivolous when it lacks an arguable basis either in law or in fact. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). The Court may, therefore, dismiss a claim as frivolous where it is based on an indisputably meritless legal theory or where the factual contentions are clearly baseless. *Id.* at 327. “Examples of the former class are claims against which it is clear that the defendants are immune from suit . . . and claims of infringement of a legal interest which clearly does not exist[.]” *Id.* “Examples of the latter class are claims describing fantastic or delusional scenarios, claims with which federal district judges are all too

familiar.” Id. at 328; Denton v. Hernandez, 504 U.S. 25, 33 (1992) (indicating that an action has no arguable factual basis when the allegations are delusional or “rise to the level of the irrational or the wholly incredible”). The Court need not accept as true factual allegations that are “fantastic or delusional” in reviewing a complaint for frivolousness. Hill v. Lappin, 630 F.3d 468, 471 (6th Cir. 2010) (quoting Neitzke, 490 U.S. at 328).

Here, Plaintiff’s allegations contain no legal theories upon which a valid federal claim may rest and are fantastic and wholly incredible. See, e.g., Burley v. Unknown Defendants, No. 2:15-CV-143, 2015 WL 8488652, at *3 (S.D. Tex. June 19, 2015) (“Although these matters are real to Plaintiff, the allegations are so fanciful that a reasonable person would find them irrational and completely lacking any factual basis.”), report and recommendation adopted, No. 2:15-CV-143, 2015 WL 8212681 (S.D. Tex. Dec. 7, 2015). Therefore, dismissal on the basis of frivolousness is appropriate. See Abner v. SBC (Ameritech), 86 F. App’x 958, 958-59 (6th Cir. 2004).

A separate Order of dismissal will be entered.

Date: May 11, 2020

A handwritten signature in black ink, appearing to read "Charles R. Simpson III", is written over a faint circular seal of the United States District Court.

**Charles R. Simpson III, Senior Judge
United States District Court**

cc: Plaintiff, pro se
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