

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

DAVID ANTIONE STOKES	:	
Plaintiff	:	
v	:	Civil Action No. RDB-09-1801
THE STATE OF MARYLAND	:	
Defendant	:	

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**MEMORANDUM OPINION**

The above-captioned case was filed on July 8, 2009, together with a Motion to Proceed in Forma Pauperis. Because he appears indigent, Plaintiff's motion shall be granted.

The *pro se* complaint raises numerous claims against various state officials some of which relate to criminal charges against Plaintiff. Most of the claims contain scandalous accusations that are clearly a product of Plaintiff's fantasy or delusion. A complaint that is totally implausible or frivolous, such as this, may be dismissed *sua sponte* for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12 (b)(1). See *Apple v. Glenn*, 183 F.3d 477 (6<sup>th</sup> Cir. 1999); *O'Connor v. United States*, 159 F.R.D. 22 (D. Md. 1994); see also *Crowley Cutlery Co. v. United States*, 849 F.2d 273, 277 (7<sup>th</sup> Cir. 1988) (federal district judge has authority to dismiss a frivolous suit on his own initiative).

Accordingly, by separate Order which follows, the Complaint shall be dismissed.

July 15, 2009  
Date

/s/

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RICHARD D. BENNETT  
UNITED STATES DISTRICT JUDGE