

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

DR. ROBERT A. KUZNER, JR., *
DR. ROBERT KUZNER, and *
THE HON. MRS. ROBERT KUZNER *

Plaintiffs *

v *

Civil Action No. GJH-14-2700

MARTIN O'MAALEY, *
MARYLAND STATE ATTORNEY *
GENERAL'S OFFICE, and *
JOHN J. McCARTHY *

Defendants *

MEMORANDUM

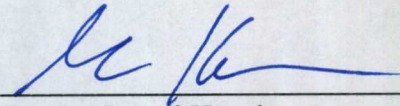
The above-captioned complaint was filed on August 21, 2014, together with a motion to proceed in forma pauperis. ECF 1 and 2. Because he appears to be indigent, plaintiff's motion shall be granted.

The complaint, consisting of 44 pages of single-spaced typing, states that plaintiffs reside "under a perpetual United States Federal Bureau of Investigation's federal protective order with an assignment of five federal undercover agents mandated in 2007 by the United States Securities & Exchange Commission's enforcement division." ECF 1 at p. 1. The only plaintiff to sign the complaint, Dr. Robert A. Kuzner, Jr., claims that his father, Dr. Robert Kuzner, died on July 2, 2002, was "resurrected by Leslie Holt and Carla Holt" and "has been prosecuted and convicted by Curtis Zeager." *Id.* at p. 4. Plaintiff Kuzner Jr. asserts he is entitle to dismissal of pending violation of probation charges and claims numerous instances of falsified testimony, perjured documents, and other fantastic allegations to include assertions that no probable cause was established for his involuntary admission to a hospital. *Id.* at pp. 7 – 13.

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 (6th 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 (7th Cir. 1988) (federal district judge has authority to dismiss a frivolous suit on his own initiative). Clearly the allegations asserted by plaintiff are the product of fantasy or delusional thinking that cannot be addressed by this court. Plaintiff has not provided any information that might lead to a reasonable conclusion that some plausible cause of action has accrued on his behalf as to the defendants named in this complaint or regarding the matters covered in the complaint.

A separate order follows.

9/3/2014
Date



George Jarrod Hazel
United States District Judge