

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

CARL H. WEEKS, JR.	*	
<i>In Full Life Supreme El Propria Persona</i>		
<i>Sui Juris</i>	*	
Plaintiff ,		
v.	*	CIVIL NO. DKC-16-2990
P.G. COUNTY POLICE DEPT.	*	
AGENT STEINKY <i>In there person</i>		
AGENT CPL. P. JOHNSON <i>In there person</i>	*	
Defendants.		

MEMORANDUM OPINION

Carl H. Weeks (“Weeks”) filed this self-represented complaint and motion for leave to proceed *in forma pauperis* on August 26, 2016. ECF Nos. 1 & 2. The *in forma pauperis* affidavit was not signed. Further, Weeks failed to provide summonses and service addresses for all three defendants. Weeks’ claim, in which he sought \$25,000.00 in damages, consisted of one statement:

“I have video evidence of my rights being violated to be put into the record.”

ECF No. 1, p. 6.

On September 9, 2016, Weeks was ordered to file a supplemental complaint, indigency motion, summonses and United States Marshal forms. ECF No. 4. The documents were returned to the court as “undeliverable” and the Order was remailed to Weeks on September 27, 2016. On October 7, 2016, Weeks filed supplemental materials, including a supplemental complaint and supplemental indigency application. ECF Nos. 6 & 7. Because he appears indigent, his motions for leave to proceed *in forma pauperis* shall be granted.

Unfortunately, Weeks’ supplemental complaint provides this court with no direction as to the jurisdictional basis for the filing. Weeks completes both the federal question and diversity jurisdiction sections of the complaint, citing to violations of the Fourth and Ninth Amendments,

“Supreme Court cases,” the “Treaty of Peace and Friendship of 1787” and an “allodial” cost schedule of damages of \$26, 175.00.¹ ECF No. 6, pp. 4-5, & 7.

Further, his statement of claim is comprised of nonsensical statements containing the following allegations:

For the record, I Supreme-El Moorish American National. Not a corporate, 14th Amendment chattel person. Not the all caps CARL HAYWOOD WEEKS, JR. Authorized Presenter of NOM DEGERE “War Name.” I am IN FULL LIFE Blood Man. I know my estate my constitutional and human rights were violated on 8-6-16 when Acting Officer #3175 Philip Johnson CPL of P.G. County Private Police Dept. Dist. 4 stopped me in my travel. Appx. 5:30 -6:00 p.m. along what’s being called Indian Head Hwy. corporate Oxon Hill, Md. He put his lights on me, came to my car and demand license. What I told him I am Supreme-El and I don’t use it as it is an instrument used for trade [unintelligible] or “traffic.” I was traveling. Mr. Phillip Johnson doing business without a bond opened my car door without my permission or warrant. Begin to search me illegally and car. Took or illegally seized my car “private property.” Acting officer doing business without bond Eric Steinky #3795. During a conversation I informed him of my nationality. He told me it not real. “That’s not a real thing.” In conspiracy to violate me. For the record with all due respect. I demand relief. Please use my appellation when, as I am in my proper person, for the record Supreme El. Please see original exhibits.

ECF No. 6, p. 6-7.

Although a complaint need not contain detailed allegations, the facts alleged must be enough to raise a right to relief above the speculative level and require “more than labels and conclusions,” as “courts are not bound to accept as true a legal conclusion couched as a factual allegation.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007). The complaint must contain “enough facts to state a claim to relief that is plausible on its face.” *Id.* at 569. Once a claim has been stated adequately, it may be supported by showing any set of facts consistent with the allegations in the complaint. *Id.* at 547.

¹ Weeks has submitted an Affidavit in Support of Jurisdiction. ECF No. 3. It addresses his status as a “Flesh and Blood” man and attaches an Affidavit of Fact regarding his status as a member of the Moorish National Republic Moorish Divine and National Movement of the World. ECF No. 3.

Pursuant to 28 U.S.C. § 1915, courts are required to screen a plaintiff's complaint when *in forma pauperis* status has been granted. Pursuant to this statute, numerous courts have performed a preliminary screening of non-prisoner complaints. *See Michau v. Charleston Cnty., S.C.*, 434 F.3d 725, 727 (4th Cir. 2006) (applying 28 U.S.C. § 1915(e)(2)(B) to preliminary screen a non-prisoner complaint); *Troville v. Venz*, 303 F.3d 1256, 1260 (11th Cir. 2002) (applying § 1915(e) to non-prisoner actions); *Evans v. Albaugh*, 2013 WL 5375781 (N. D. W.Va. 2013) (28 U.S.C. § 1915(e) authorizes dismissal of complaints filed *in forma pauperis*).²

The court has thoroughly examined the complaint and supplemental complaint, and finds they are insufficient and do not comply with federal pleading requirements. Although afforded a further opportunity to file a cogent and understandable complaint, Weeks has presented a statement of claim consisting of a rambling discourse regarding an apparent August 2016 police stop of Weeks' vehicle in Prince George's County, Maryland.³ The language used in Weeks' complaint is consistent with the "flesh and blood" defense frequently raised in this court in criminal prosecutions and soundly rejected.⁴ Weeks' jurisdictional claims, even if couched in "flesh and blood" language,

² Title 28 U.S.C. Section 1915(e)(2)(B) provides:

(2) Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that—

(B) the action or appeal—

(i) is frivolous or malicious;

(ii) fails to state a claim on which relief may be granted; or

(iii) seeks monetary relief against a defendant who is immune from such relief.

³ The state court docket reveals that Weeks is a defendant in two active traffic court cases. In August of 2016, he was cited by Officer Johnson for driving a vehicle without adequate rear registration plate illumination and failing to display a license to uniformed police on demand. Weeks failed to appear for trial and a warrant has been issued for his arrest. *See* attached docket sheets.

do not raise claims involving violation of the Constitution or laws or treaties of the United States as required.

For these reasons, the complaint shall be dismissed by separate Order.

/s/
DEBORAH K. CHASANOW
United States District Judge

⁴ See, e.g., *United States v. Mitchell*, 405 F. Supp. 2d 602, 604 (D. Md. 2005) (criminal defendants raised meritless flesh and blood defense by asserting court had no jurisdiction because they had not consented to the proceeding against them).