

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Robert Lain,

Plaintiff,

v.

Case No. 13-cv-11136

FBI, *et al.*,

Honorable Sean F. Cox

Defendants.

OPINION AND ORDER
DENYING PLAINTIFF ROBERT LAIN'S MOTION TO REINSTATE CASE [DOCKET
ENTRY NO. 5]

Before this Court is Plaintiff Robert Lain's ("the Plaintiff") Motion to Reinstatement Case [Docket Entry No. 5]. This action was previously dismissed for failure to state a claim upon which relief can be granted. (Docket Entry No. 4.) This Court finds that the issues have been adequately presented in the parties' briefs and that oral argument would not significantly aid the decision making process. *See* Local Rule 7.1(f)(2), U.S. District Court, Eastern District of Michigan. Accordingly, this Court therefore orders that the motion will be decided on the briefs. For the reasons that follow, this Court shall **DENY** the Plaintiff's Motion to Reinstatement Case [Docket Entry No. 5].

On March 14, 2013, acting *pro se*, Plaintiff filed this action against the FBI, NASA, the Detroit Police Department, President Barack Obama and HUD (collectively "Defendants"), contending that the Defendants are using satellites to control his thoughts and to discriminate against

him. (Docket Entry No. 1.)

On that same day, Plaintiff filed an Application to Proceed *In Forma Pauperis* and an Application for Appointment of Counsel Financial Affidavit. (Docket Entry Nos. 2–3.)

This Court **GRANTED** Plaintiff’s application to proceed *in forma pauperis*. However, this Court dismissed that action for failure to state a claim upon which relief can be granted, holding that “Plaintiff’s complaint consists of an incoherent stream of words and suspicions, involving a conspiracy on the part of the Defendants to use satellites to implant discriminatory phrases into Plaintiff’s mind. Even with a liberal reading of the allegations in Plaintiff’s complaint, this Court is unable to discern any claims with a rational or arguable basis in law. Plaintiff’s claims are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.” (Docket Entry No. 4, at 2.)

On May 2, 2013, Plaintiff filed a Motion to Reinstate Case [Docket Entry No. 5], which contains no facts or legal argument; instead, that “motion” consists entirely of several handwritten notations made by the Plaintiff on copies of some previous filings in this action. It is unclear what the Plaintiff is attempting to argue in his motion. For example, noted on the copy of the Application for Appointment of Counsel and the Order Granting Application to Proceed *In Forma Pauperis* and Dismissing Complaint is the phrase, “Reinstatement new court order plus old.” (Docket Entry No. 5, at 7, 13.) Likewise, on the copy of the Order Granting Application to Proceed *In Forma Pauperis* and Dismissing Complaint, Plaintiff appears to write “racial discrimination” (*Id.* at 13.) This Court does find any of the “arguments” in the Plaintiff’s Motion to Reinstate Case convincing.

Accordingly, **IT IS ORDERED** that Plaintiff’s Motion to Reinstate Case [Docket Entry No.

5] is **DENIED**.

IT IS SO ORDERED.

Dated: May 16, 2013

S/ Sean F. Cox
Sean F. Cox
U. S. District Court Judge

I hereby certify that on May 16, 2013, the foregoing document was served upon counsel of record by electronic means and upon Robert Lain by First Class Mail at the address below:

Robert Lain
7722 Dexter
Detroit, MI 48206

Dated: May 16, 2013

S/ J. McCoy
Case Manager