

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**DAVID V. KONERSMANN**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO. 1:11CV050-B-D**

**MONROE COUNTY SHERIFF, et al.**

**DEFENDANTS**

**MEMORANDUM OPINION**

This matter is before the court, *sua sponte*, for consideration of dismissal. 28 U.S.C. §§ 1915(e)(2) and 1915(A). The Plaintiff filed this complaint pursuant to 28 U.S.C. § 1331. The Plaintiff complains that he has been the victim of harassment by local law enforcement agencies over the last three years. He alleges everything from over 200 improper traffic stops, to being followed daily by officers, to the Defendants conspiring to tamper with his car in order to cause a catastrophic mechanical failure and that they have attempted to murder him with poisonous snakes.

After carefully considering the contents of the *pro se* complaints and giving them the liberal construction required by *Haines v. Kerner*, 404 U.S. 519 (1972), this court has come to the following conclusion.

The allegations in the Plaintiff's complaint are rambling and difficult to understand. Notwithstanding the bizarre claims, the complaint is devoid of any arguable legal theory that would confer federal question jurisdiction. Moreover, the Plaintiff's illogical concerns appear to be entirely fanciful and unworthy of further consideration by this court.

A complaint is frivolous if it lacks an arguable basis in either law or fact, such as relying on an indisputably meritless legal theory. *Taylor v. Johnson*, 257 F.3d 470, 472 (5th Cir. 2001). Since Plaintiff's claims lacks a legal basis, it shall be dismissed for failure to state a claim upon which relief can be granted. Therefore, this cause will be dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim.

A final judgment in accordance with this opinion will be entered.

THIS the 24<sup>th</sup> day of March, 2011.

/s/ Neal Biggers  
NEAL B. BIGGERS, JR.  
SENIOR U.S. DISTRICT JUDGE