

FILED

JUN 28 2012

PATRICK E. DUFFY, CLERK

By DEPUTY CLERK, MISSOULA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

GINO ROMANO,)

Plaintiff,)

vs.)

KIM KARDASHIAN, LINDSAY LOHAN,)
KOURTNEY KARDASHIAN, KHLOE)
KARDASHIAN, and LAMAR ODOM,)

Defendants.)
_____)

CV 12-109-M-DLC-JCL

ORDER

On June 22, 2012, Plaintiff Gino Romano applied to proceed *in forma pauperis* with this action. His proposed Complaint makes the unbelievable allegation that he was injured in a physical confrontation with a cabal of drug-dealing celebrities in the parking lot of a CVS store in Missoula, Montana.

United States Magistrate Judge Jeremiah C. Lynch recommends denial of Plaintiff Romano's application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), which authorizes a court to dismiss an *in forma pauperis* proceeding at any time if the action is frivolous or malicious. Judge Lynch explains that "Gino Romano" is an alias of serial litigator Jonathan Lee Riches, and he notes that the instant proposed Complaint is similar to 19 other lawsuits filed in various federal district courts under the "Gino Romano" pseudonym during this month. Because of the frivolous nature of the proposed Complaint, Judge Lynch recommends denial of the application to proceed *in forma pauperis* and dismissal of the case.

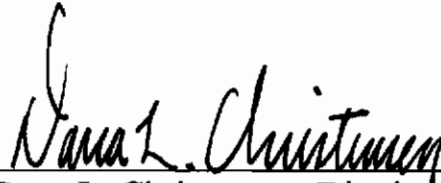
This Court reviews the Findings and Recommendation for clear error. McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." United States v. Syrax, 235 F.3d 422, 427 (9th Cir. 2000).

The Court can find no clear error with Judge Lynch's Findings and Recommendations (Doc. No. 3) and therefore adopts them in full.

Accordingly, IT IS HEREBY ORDERED that Plaintiff Romano's application to proceed *in forma pauperis* (Doc. No. 1) is DENIED, and this matter is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). The Clerk of Court is

directed to enter a judgment of dismissal and to close the case file.

DATED this 29th day of June, 2012.

A handwritten signature in black ink, reading "Dana L. Christensen". The signature is written in a cursive style with a large initial "D".

Dana L. Christensen, District Judge
United States District Court