

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

RAYMOND FAHNBULLEH,

Plaintiff,

v.

T-MOBILE US, INC.,

Defendant.

HONORABLE KAREN M. WILLIAMS

No. 23-21590 (KMW-MJS)

MEMORANDUM OPINION AND
ORDER

This matter comes before the Court *sua sponte* in connection with the Complaint and Application to Proceed *In Forma Pauperis* of Plaintiff Raymond Fahnbulleh. Previously, the Court granted Plaintiff's *in forma pauperis* Application. (ECF No. 3). Thus, the Court is now required to screen the Complaint pursuant to 28 U.S.C. §1915(e)(2)(B), and dismiss any claim that is frivolous, malicious, fails to state a claim for relief, or otherwise seeks relief from an immune defendant. For the reasons set forth below, Plaintiffs' Complaint is dismissed for failing to state a claim.

1) Plaintiff, proceeding *pro se*, brings this action against Defendant T-Mobile US, Inc. asserting that his cellular account with T-Mobile was inappropriately terminated, asserting "equitable" claims. Pl.'s Compl. at 3, 4. Plaintiff asserts that Defendant unjustly enriched itself by denying Plaintiff's "security interest," the same being a "breach of trust" of its 'fiduciary duty.' *Id.* at 5. Plaintiff asserts that he suffered emotional distress and mental anguish. *Id.* Plaintiff requests that his cellular account be restored and that he be paid \$250,000.00. *Id.*

2) While Plaintiff's Complaint asserts Federal Question jurisdiction, the Complaint does not indicate any federal statute under which Plaintiff seeks relief;

3) The Court finds that Plaintiff has failed to state a claim pursuant to Fed. R. Civ. P. Rule 8(a).¹ Thus, the Complaint does not state a claim upon which relief can be granted.

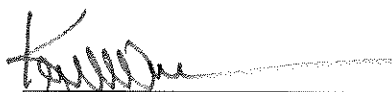
IT IS THEREFORE on this 29th day of November, 2023,

ORDERED that Plaintiffs' Complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE**; and

FURTHER ORDERED that Plaintiff is granted leave to amend his Complaint within 30 days of issuance of this order; and

FURTHER ORDERED that if Plaintiff does not amend his Complaint within 30 days, the Clerk is directed to close the case without further Order from the Court; and

FURTHER ORDERED that the Clerk of the Court shall serve a copy of this Order upon Plaintiffs by regular U.S. mail.



Hon. Karen M. Williams,
United States District Judge

¹ Rule 8(a) provides, in pertinent part:
Claim for Relief. A pleading that states a claim for relief must contain:

- (1) a short and plain statement of the grounds for the court's jurisdiction, unless the court already has jurisdiction and the claim needs no new jurisdictional support;
- (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and
- (3) a demand for the relief sought, which may include relief in the alternative or different types of relief.