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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MOHAMMED KEITA, :
: :
Plaintiff, :
: :
-against- :
: :
IBM, also known as Lenove, VERIZON, :
MICROSOFT, APPLE, GOOGLE, NASA, :
SAMSUNG, BMW MANHATTAN, HP, CNN, :
MSCNBC, CBS, CHANEL 7, EYEWITNESS :
NEWS OF NEW YORK, and UNITED STATES :
DEPARTMENT OF JUSTICE, :
: :
Defendants. :
----- x
VITALIANO, D.J.

MEMORANDUM & ORDER

17-cv-1276

On October 26, 2017, *pro se* plaintiff Mohammed Keita’s complaint was dismissed with prejudice as frivolous under 28 U.S.C. § 1915(e)(2)(B). The Clerk of Court was ordered to close the case. Notwithstanding the dismissal, Keita filed an amended complaint and supporting memorandum of law on November 9, 2017. He argues that, at least as amended, his complaint had complied with Federal Rule of Civil Procedure 8.

Interpreting his latest pleadings liberally, the Court construes the latest filing (ECF Dkt. No. 9) as a motion for reconsideration. The motion, however, must be denied because Keita makes no showing of any misapprehension by the Court of facts or law at the time of its ruling, which would require the Court to revisit its prior decisions. *See Shrader v. CSX Transp., Inc.*, 70 F.3d 255, 257 (2d Cir. 1995).

In any event, even if the Court were to consider Keita’s proposed “amended complaint”, without the baggage of a prior dismissal, what passes for factual content is fanciful at best but essentially baseless. *Neitzke v. Williams*, 490 U.S. 319, 327, 109 S. Ct. 1827, 1833, 104 L.Ed.2d


338 (1989). For instance, Keita makes stream of consciousness statements like “I am interested in the field of NASA Astrobiology combined MS/Phd Program as Professional Studies Student.” ECF Dkt. No. 9 at 7, ¶ 5. Or, another: “During a midnight United State Supreme judicial briefing that included Justice Clarence [sic] Thomas and Justice Anthony Scalia (deceased), had an unusual terrestrial information communicated by Justice Scalia on CNN, ‘I told them not to touch it!’”. *Id.* at 10, ¶ 8. There is absolutely nothing in the “amended complaint” that even vaguely hints at a valid claim against any of the named defendants. There is, in short, nothing in Keita’s most recent pleading that would justify reconsidering the original order dismissing the complaint with prejudice.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal would not be taken in good faith, and, therefore, *in forma pauperis* status is denied for the purpose of any appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45, 82 S. Ct. 917, 920-21, 8 L. Ed. 2d 21 (1962).

The Clerk of Court is directed to maintain this case on the closed docket.

So Ordered.

Dated: Brooklyn, New York
November 30, 2017

s/Eric N. Vitaliano

ERIC N. VITALIANO
United States District Judge