

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:15-CV-00468-F

TYRONE HURT, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 D.C. METRO TRANSIT )  
 TRANSPORTATION, THE )  
 INTERNATIONAL CRIMINAL COURT, )  
 1946 Hague Germany, THE )  
 INTERNATIONAL PEACE COURT, 1946 )  
 Hague Germany, and CHIEFS OF POLICE )  
 and all law enforcement officials, )

**ORDER**

Defendants.

This matter is before the court for consideration of the Memorandum and Recommendation (hereafter "M&R") [DE-4] issued by United States Magistrate Judge Robert B. Jones, Jr. Therein, Judge Jones recommends dismissal of pro se Plaintiff Tyrone Hurt's Complaint [DE-1] as frivolous. *See* M&R [DE-4] at 4. Hurt has filed an Objection [DE-5] to the M&R.

A district court may "designate a magistrate judge . . . to submit . . . proposed findings of fact and recommendations for the disposition" of a variety of motions. 28 U.S.C. § 636(b)(1)(B). The court then must "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). Upon review of the record, "the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*

Pursuant to 28 U.S.C. § 1915(e)(2), this court must dismiss an action found to be frivolous or malicious, which fails to state a claim on which relief may be granted, or seeks

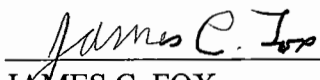
money damages from a defendant who is immune from such recovery. *See Cochran v. Morris*, 73 F.3d 1310 (4th Cir. 1996) (discussing *sua sponte* dismissal for frivolity under predecessor statute 28 U.S.C. § 1915(d)). A complaint is frivolous if it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 US. 319, 325 (1989). Although in conducting a frivolity review a pro se plaintiff’s pleadings are held to “less stringent standards” than those drafted by attorneys, *White v. White*, 886 F.2d 721, 722–23 (4th Cir. 1989), the court is not required to accept a pro se plaintiff’s contentions as true. *Denton v. Hernandez*, 504 U.S. 25, 32 (1992).

Judge Jones observes that Plaintiff has failed to correct numerous deficiencies with regard to his Complaint. M&R [DE-4] at 4. Judge Jones concludes that the Complaint “is largely illegible, and any factual basis for [Plaintiff’s] claims against seemingly disparate Defendants, such as D.C. Metro Transit and the International Criminal Court, is wholly unclear.” *Id.* Accordingly, Judge Jones recommends dismissing the Complaint as frivolous.

Plaintiff’s Objection, like his Complaint, is almost entirely illegible. *See* Obj. [DE-5]. The court is unable to decipher either the claims Plaintiff attempts to assert, or Plaintiff’s objections to the M&R. Plaintiff has been given the opportunity to correct this deficiency and has failed to do so. Accordingly, the court ADOPTS the recommendation [DE-4] as its own; Plaintiff’s claims are DISMISSED as frivolous.

SO ORDERED.

This, the 10<sup>th</sup> of March, 2016.

  
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JAMES C. FOX  
Senior United States District Judge