

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

DAVID LEE WILSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-06-222-F
)	
OKLAHOMA CITY MUNICIPAL)	
COURTS,)	
)	
Defendant.)	

ORDER

Plaintiff appears *pro se*, and his pleadings are liberally construed.

Plaintiff has been granted *in forma pauperis* status. With respect to proceedings *in forma pauperis*, 28 U.S.C. §1915(e)(2)(B) provides that, “Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that...the action...(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.”

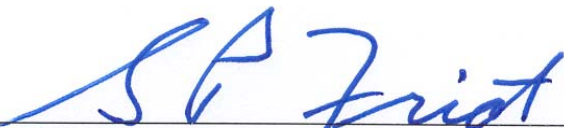
The court has carefully reviewed the Complaint to determine whether this action should be dismissed under any of the above criteria. The caption names the defendant as the “Oklahoma City Municipal Courts,” an entity which is not subject to suit. In the body of the Complaint, plaintiff alleges that he was arrested by “City Marshall Mills” on February 10, 2004; that he got out of jail in May, 2004; that on June 8, 2004, without having been confronted by the Oklahoma City Police Department, he was arrested by Ricky Hernandez and spent another 101 days in jail; that he “sat out” a highway patrol ticket “2 times”; that he is “getting tired of these men putting their hands on me!”; that “due to the stuff (attacks) I am putting up with

I sure am not going to pay it”; and that he has “sued Hernandez and have ended up with around 300 more days in jail during federal deadlines.” It is not clear what any of these allegations have to do with the Oklahoma City Municipal Courts.

Construing the Complaint liberally, the court finds and concludes that it fails to state a claim, that it is frivolous because it reveals no arguable basis in fact or law, and that it seeks relief against a defendant which is immune from suit. Any one of these grounds, standing alone, would be sufficient to require dismissal. This action is **DISMISSED** without prejudice pursuant to 28 U.S.C. §1915(e)(2)(B).

The court has also reviewed all pending motions at doc. nos. 2, 7, and 8. As this case is now dismissed, all motions are moot, and they are **STRICKEN** on that basis.

Dated this 14th day of March, 2006.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE