

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

GREG GAMACHE,

Plaintiff,

v.

FEDERAL BUREAU OF INVESTIGATION,

et al.,

Defendants.

Case No. 1:11-cv-55
Judge Mattice

ORDER

In response to Plaintiff's Motion for Leave to Proceed In Forma Pauperis [Court Doc. 1], Magistrate Judge Susan Lee filed a Report and Recommendation ("R&R") [Court Doc. 3] on March 17, 2011 recommending that Plaintiff's Complaint be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B). Magistrate Judge Lee concluded that Plaintiff's Complaint failed to state a colorable, justiciable action, that his allegations smack of the "fantastic," and that it was therefore unnecessary to reach the merits of his *in forma pauperis* application. Magistrate Judge Lee further determined that the factual allegations in Plaintiff's Complaint failed to establish that he had standing to assert any claims against Defendants. Plaintiff did not file an Objection to Magistrate Judge Lee's R&R within the given 14 days.

The Court is directed to dismiss a cause of action proceeding *in forma pauperis* pursuant to 28 U.S.C. § 1915(e)(2)(B) if it becomes apparent that the action is frivolous, does not state a claim, or seeks relief from an immune defendant. *Id.* In the Complaint, Plaintiff appears to be asserting that Defendants are not properly responding to the complaints of 40,000 people in the United States who are having "electronic weapons"

used on them. After reviewing the Complaint, the Court agrees with Magistrate Judge Lee's characterization of Plaintiff's allegations as "fantastic." The Court also agrees that Plaintiff's Complaint fails to allege facts that would support a personal injury to him and would establish his standing to bring such claims.

Accordingly, the Court finds that Plaintiff has failed to state a claim for which relief may be granted. The Court **ACCEPTS and ADOPTS** Magistrate Judge Lee's R&R and **ORDERS** that Plaintiff's case be **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B).

SO ORDERED this 12th day of April, 2011.

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE