

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

<b>ROBERT CHARLES BLANCHARD,</b>	)	
	)	
Plaintiff,	)	Case No. 7:16CV00337
	)	
v.	)	<b>OPINION</b>
	)	
<b>DEA, JUDGE SHOWALTERS,</b>	)	By: James P. Jones
	)	United States District Judge
Defendants.	)	

*Robert Charles Blanchard, Pro Se Plaintiff.*

Plaintiff Robert Charles Blanchard, a Virginia inmate proceeding pro se, has filed a civil action under 42 U.S.C. § 1983 against the “DEA,” apparently referring to the United States Drug Enforcement Administration, and Judge Showalters of the Wythe County Circuit Court. Liberally construed, Blanchard’s Complaint alleges that these defendants and others have allowed the use of loud noises and other forms of torture in an effort to convince him to assist law enforcement. As relief, Blanchard asks to be left alone. After review of the Complaint, I conclude that the lawsuit must be summarily dismissed without prejudice as frivolous.

The court must dismiss any action or claim filed by a prisoner against a governmental entity or officer if the court determines the action or claim is “frivolous, malicious, or fails to state a claim on which relief may be granted.” 28 U.S.C. § 1915A(b)(1). A “frivolous” claim is one that “lacks an arguable basis

either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325, 327 (1989) (interpreting “frivolous” in former version of 28 U.S.C. § 1915(d)).

My statutory authority to summarily dismiss frivolous complaints includes “the unusual power to pierce the veil of the complaint’s factual allegations and dismiss those claims whose factual contentions are clearly baseless” or which describe “fantastic or delusional scenarios.” *Id.* at 327-28. Blanchard’s claims in this lawsuit fall squarely in this class, and accordingly, I will summarily dismiss the action under § 1915A(b)(1) as frivolous.

A separate Final Order will be entered herewith.

DATED: October 17, 2016

/s/ James P. Jones  
United States District Judge