

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 SHAWN DANIEL HABENER,

9 Plaintiff,

10 v.

11 FBI,

12 Defendant.

CASE NO. C13-5705 BHS

ORDER DENYING PLAINTIFF'S  
MOTION TO PROCEED *IN*  
*FORMA PAUPERIS* AND  
DISMISSING COMPLAINT

13  
14 This matter comes before the Court on Plaintiff Shawn Daniel Habener's  
15 ("Habener") motion to proceed *in forma pauperis* (Dkt. 1) and proposed complaint (Dkt.  
16 1-1).

17 On August 19, 2013, Habener filed the instant motion and proposed complaint,  
18 which are almost identical to Habener's previous case. *Compare* Dkts. 1 & 1-1 *with*  
19 C13-5561BHS, Dkts. 1 & 1-1. In the previous case, the Court dismissed the proposed  
20 complaint because it was frivolous and had no arguable basis in law or fact. *Id.*, Dkt. 3.  
21 The instant complaint is even more frivolous. For example, Habener alleges that the FBI  
22 is stealing his thoughts and selling them to the DEA for substantial profit. Therefore, the

1 Court **DENIES** Habener's motion to proceed *in forma pauperis* and **DISMISSES** his  
2 complaint.

3 **IT IS SO ORDERED.**

4 Dated this 20th day of August, 2013.

5 

6  
7 BENJAMIN H. SETTLE  
United States District Judge

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22