

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JAN - 8 2009

Clerk, U.S. District and
Bankruptcy Courts

Yolanda C. Gibson-Michaels,

Plaintiff,

v.

Shelia C. Bair *et al.*,

Defendants.

Civil Action No.

09 0022

MEMORANDUM OPINION

This matter comes before the Court on consideration of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant the application and dismiss the complaint.

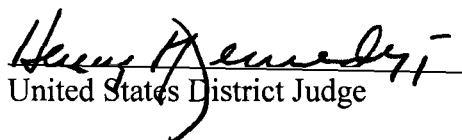
The complaint, brought as a civil RICO action under 18 U.S.C. § 1961 *et seq.*, states that the several named defendants have operated over the past ten years in a criminal enterprise involving "bank fraud, receivership fraud, money laundering, tampering with and retaliation" with respect to a whistleblower, and "obstruction of justice, obstruction of state and local law enforcement, peonage and slavery," the "primary objective" of which has been to "inflict severe and sustained economic hardship upon plaintiff by threats, physical assault, harassment with the intent to 'silence plaintiff'" (Compl. at 2-3.) Plaintiff's complaint is constructed of conclusory allegations without specific facts to support the allegations of illegal conduct.

A complaint that alleges only vague or conclusory allegations without specific facts regarding the alleged wrongdoing does not allow a defendant to frame an intelligent defense and is subject to dismissal under 28 U.S.C. § 1915(d) as "lacking an arguable basis in fact" and

therefore failing to state a claim upon which relief may be granted. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). Plaintiff's complaint alleging a "widespread criminal enterprise knowingly engaged [in] by the . . . FDIC" does not allege facts sufficient to provide a basis in fact, and will therefore be dismissed.

An appropriate order accompanies this memorandum opinion.

Date: 12/18/08


United States District Judge