

FILED

APR 02 2009

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Clerk, U.S. District and
Bankruptcy Courts

Matthew W. Harrington,

Plaintiff,

v.

U.S. Government,

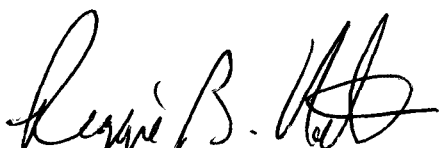
Defendant.

Civil Action No. **09 0608**

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint and application for leave to proceed *in forma pauperis*. Pursuant to 28 U.S.C. § 1915(e), the Court is required to dismiss a complaint upon a determination that it, among other grounds, is frivolous. 28 U.S.C. § 1915(e)(2)(B)(i).

Plaintiff, a resident of San Diego, California, alleges, among other harms, that he is "not allowed to be in a good mood . . . [t]he people of San Diego have been telling me that I am the biggest asshole in the world [and] [t]he U.S.M.C. has been spraying me with toxic poisons." Compl. at 1. He seeks an unspecified amount of money damages for pain and suffering. Complaints that describe fantastic or delusional scenarios or contain "fanciful factual allegation[s]" are subject to dismissal under 28 U.S.C. § 1915(e)(2). *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); accord *Best v. Kelly*, 39 F.3d 328, 330-31 (D.C. Cir. 1994). This complaint qualifies for such treatment and, thus, is dismissed. A separate Order accompanies this Memorandum Opinion.


United States District Judge

Date: March 26, 2009