

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED
AUG 13 2009
Clerk, U.S. District and
Bankruptcy Courts

Karen McBrien,

Plaintiff,

v.

United States et al.,

Defendants.

Civil Action No.

09 1527

MEMORANDUM OPINION

The plaintiff has filed an application to proceed in forma pauperis and a pro se complaint.¹ The Court will grant the application to proceed in forma pauperis and dismiss the complaint.

The events that form the basis of the complaint in this action are, generally speaking, the same events that formed the basis of the action in *McBrien v. FBI et al.*, Civil Action No. 09-197, which was dismissed because the events alleged presented the sort of “fantastic or delusional scenarios” that warrant dismissal of an action as frivolous under *Neitzke v. Williams*, 490 U.S. 319, 328 (1989). *See* Mem. Op., Civil Action No. 09-197 (D.D.C. Feb. 3, 2009). This complaint

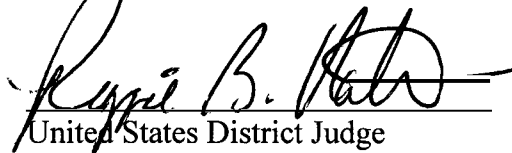
¹ Plaintiff filed the two documents received by the Clerk of Court on August 4 and August 6, 2009. Both were entitled “Complaint Plaintiff’s Notice of Filing FTCA Claim” (hereinafter “notices”), and in both notices the first sentence stated that “Plaintiff Karen McBrien *intends* to” file a complaint under the Federal Tort Claims Act, 28 U.S.C. § 2674 et seq. (“FTCA”). Notices at 1 (emphasis added). In addition, on August 6, 2009, the Clerk received a third document entitled “Complaint for FTCA Claim for Personal Injury; Damages; Intentional Tort; Negligence” (hereinafter “complaint”), which stated that “Plaintiff Karen McBrien files this Complaint for personal damages” Complaint at 1. Only one application to proceed in forma pauperis was received. All three documents carry identical captions and make reference to substantially the same events and impressions. Accordingly, the court construes two of the submissions as notices and the other submission as a complaint.

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presents the same fantastic and delusional scenarios of a nationwide conspiracy involving the plaintiff's relatives, former relatives, and numerous state and federal agencies who work in concert to spy on, control, injure, and trick the plaintiff. This complaint, too, warrants dismissal as frivolous. *Neitzke*, 490 U.S. at 328. Accordingly, on the court's authority under 28 U.S.C. § 1915(e)(2)(B)(i) (requiring dismissal of frivolous complaints that are filed by plaintiffs proceeding *in forma pauperis*), this complaint will be dismissed.

A separate order accompanies this memorandum opinion.

Date: August 8, 2009


United States District Judge