

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAY - 7 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

Ada L. Ron-Messer,

Plaintiff,

v.

National Democrat Party *et al.*,

Defendants.

Civil Action No. 08 0784

MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The application will be granted and the complaint will be dismissed pursuant to 28 U.S.C. § 1915(e)(2) (requiring dismissal upon a determination that the complaint is frivolous, malicious, fails to state a claim upon which relief may be granted or seeks monetary relief from an immune defendant).

Plaintiff sues the National Democratic Party, the National Republican Party, the Department of Justice, Fedex Kinko's, Fox News and a variety of other entities and individuals. Included among the list of defendants are such current and former high-level government officials as President George W. Bush, former Presidents Jimmy Carter, George H.W. Bush and William J. Clinton, Senators Hillary Clinton and Edward Kennedy, former Attorneys General John Ashcroft and Janet Reno, and the estate of Justice William H. Rehnquist. In addition, plaintiff sues such prominent international officials as former Cuban President Fidel Castro and current President Raul Castro. Plaintiff sues under the Racketeer Influenced and Corrupt Organizations ("RICO") Act, 18 U.S.C. §§ 1961 *et seq.*, "for injuries sustained by the Plaintiff in

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her business and property by reason of a pattern of violations” by the named defendants. The complaint exceeds 600 pages and demands \$60 million.

The complaint presents the type of fantastic or delusional scenarios found to justify immediate dismissal of a complaint as frivolous. *Neitzke v. Williams*, 490 U.S. 319, 328 (1989); *Best v. Kelly*, 39 F.3d 328, 330-31 (D.C. Cir. 1994). Besides, any RICO claim against the United States must fail because Congress has not waived the United States’ immunity against such claims. *See Norris v. Department of Defense*, 1997 WL 362495 (D.C. Cir. 1997) (finding claim for treble damages under the RICO Act “barred by the doctrine of sovereign immunity”); *Andrade v. Chojnacki*, 934 F. Supp. 817, 831 (S.D. Tex. 1996) (“Absent an express waiver of sovereign immunity, a RICO action cannot be maintained against the United States.”) (citing cases). A separate Order of dismissal accompanies this Memorandum Opinion.


United States District Judge

Date: April 29, 2008