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MAY 14 2008

**Clerk, U.S. District and
Bankruptcy Courts**

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CARLOS E. PINEDA,)
)
Plaintiff,)
)
v.)
)
)
GEORGE W. BUSH *et al.*,)
)
Defendants.)

Civil Action No. **08 0836**

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, now living in Guatemala after having been ordered deported from this country as an alien in February 2008 (see Compl. Ex. at 22), sues the sitting president of the United States, a former United States Attorney General, a United States District Judge, a United States Attorney, and a United States Immigration Judge, on "13 counts of conspiracy to kill" plaintiff, including, among other claims, conspiracy to kill him through the use of biological and chemical weapons of mass destruction, conspiracy to kidnap plaintiff's minor daughter and kill him, conspiracy to kill the mother of plaintiff's daughter and plaintiff's family and kill him, and conspiracy to persecute him because of his cooperation with law enforcement. (Compl. at 1.) In more specific allegations, plaintiff alleges that "Pres. George W. Bush; Mr. Alberto Gonzalez and I.N.S. are leading this conspiracy to kill me and attempting to use a stolen F.B.I. file to

commit blackmail or extortion against the F.B.I., against the D.E.A. And this is how they want to recover their property and dope money that they lost under my testimony or cooperation.” (Compl. at 9.) The complaint does not specify a demand for relief, but ends on page 13 with “To be continue[d].”

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). A separate Order of dismissal accompanies this Memorandum Opinion.


United States District Judge

Date: April 30, 2008