

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 24 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

Victor Alvarez,

Plaintiff,

v.

Sept. 11 Commission *et al.*,

Defendants.

Civil Action No. 08 1819

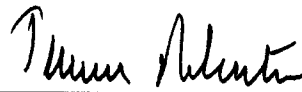
MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant the application and will dismiss the complaint as it is required to do if it determines that a prisoner action is frivolous. 28 U.S.C. § 1915A(b).

Plaintiff is a prisoner at the U.S. Medical Center for Federal Prisoners in Springfield, Missouri. He sues several military officers, a CIA employee, the September 11 Commission, the Bureau of Prisons and the Department of Homeland Security. In a 13-page complaint that in parts is barely legible, plaintiff alleges that defendants, among other bizarre acts, tried to kill him by "using UFO exotic weapons of laser tubes-technologies and military espionage [sic] known as ciber [sic] electronical [sic] brain monitors [] connected to my brain with laser cables . . . connected to military computers. . . ." Compl. at 3. Plaintiff demands damages exceeding \$999 trillion.

Complaints that describe fantastic or delusional scenarios are subject to dismissal under 28 U.S.C. § 1915(e)(2). See *Neitzke v. Williams*, 490 U.S. 319, 328 (1989); *Best v. Kelly*, 39 F.3d 328, 330-31 (D.C. Cir. 1994). Moreover, a complaint may be dismissed as frivolous when

it lacks “an arguable basis in law and fact,” *Brandon v. District of Columbia Bd. of Parole*, 734 F.2d 56, 59 (D.C. Cir.1984), or is based on “fanciful factual allegation[s].” *Neitzke*, 490 U.S. at 325. This complaint qualifies for such treatment. Hence, a separate Order of dismissal accompanies this Memorandum Opinion.



United States District Judge

Date: October 3, 2008