

FILED

AUG 21 2009

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

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Douglas McLaren,

Plaintiff,

v.

Rep. Joe Banner,

U.S. House of Representatives,

Defendant.

Civil Action No.

09 1597

MEMORANDUM OPINION

This matter is before this court on the plaintiff's application to proceed *in forma pauperis*, *pro se* complaint, motion for immediate injunction and motion to seal. The court will grant the application, dismiss the complaint because it fails to state a claim upon which relief may be granted against this defendant, and deny the remaining motions as moot.

The complaint seeks "immediate phys[ic]al relief and civil relief," and a "formal inquest to grand jury hearing," Compl. at 2, and damages in the amount of \$78,000, *id.* at 17. The plaintiff wants "to file for Articles of Impeachment on President Barack Obama¹ to other member[s] of Administration to Vice-President Joe Balin [sic], Secretary Hilary [sic] Clinton to other accountable parties, counterpart." *Id.* at 2-3. The remainder of the seventeen-page complaint consists of incoherent phrases and terms, void of facts, sprinkled with high profile names, including Bill Clinton, Jesse Jackson, Oprah Winfree, Bud Selig, Bill and Melinda Gates, John Kerry, Boeing Corporation, the NAACP, and the Catholic Church.

¹ The President is the defendant in another suit by the plaintiff filed the same day.

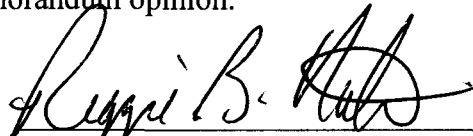
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This court is obligated by federal law to dismiss a complaint that is filed without prepayment of filing fees whenever it determines that the complaint fails to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2)(B)(ii). Here, the complaint does not contain any factual allegations to establish that the plaintiff has suffered an injury attributable to the only named defendant. In fact, there is no reference to the defendant outside the caption, and the court takes judicial notice that there is no member of the U.S. House of Representatives with the name Joe Banner. Because the allegations in the complaint do not state a claim upon which relief may be granted against the defendant, the court will dismiss the complaint.

An appropriate order accompanies this memorandum opinion.

Date:

August 7, 2009


United States District Judge