FILED

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

FEB 2 6 2010

Clerk, U.S. District and Bankruptcy Courts

STEPHEN SHEFFIELD,)	
Plaintiff,))	
v.) Civil Action No.	10 0316
BOARD OF EDUCATION, et al.,)	
Defendants.)	

MEMORANDUM OPINION

This matter comes before the court on review of plaintiff's application to proceed *in* forma pauperis and pro se civil complaint. The court will grant the application, and dismiss the complaint.

The court must dismiss a complaint if it is frivolous, malicious, or fails to state a claim upon which relief can be granted. 28 U.S.C. § 1915(E)(1)(B). In *Neitzke v. Williams*, 490 U.S. 319 (1989), the Supreme Court states that the trial court has the authority to dismiss not only claims based on an indisputably meritless legal theory, but also claims whose factual contentions are clearly baseless. Claims describing fantastic or delusional scenarios fall into the category of cases whose factual contentions are clearly baseless. *Id.* at 328. The trial court has the discretion to decide whether a complaint is frivolous, and such finding is appropriate when the facts alleged are irrational or wholly incredible. *Denton v. Hernandez*, 504 U.S. 25, 33 (1992).

Plaintiff alleges that the defendants are responsible for delivering drugs, including phencyclidine (better known as PCP), to him and millions of others through food items and dairy

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products. Because plaintiff has suffered physical injuries after having ingested these drugs, he

demands compensatory damages in the amount of "ten hundred zillion dollars." Comp.

(preprinted form) at 4 (page number designated by the court).

The court is mindful that complaints filed by pro se litigants are held to less stringent

standards than those applied to formal pleadings drafted by lawyers. See Haines v. Kerner, 404

U.S. 519, 520 (1972). Having reviewed plaintiff's complaint, the court concludes that its factual

contentions are baseless and wholly incredible. For this reason, the complaint is frivolous and

United States District Judge

must be dismissed. See 28 U.S.C. § 1915A(b)(1).

An Order consistent with this Memorandum Opinion is issued separately.

DATE: 2/7/2010

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