

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

MAY 18 2010

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

**Craig,**

**Plaintiff,**

**v.**

**United States Government,**

**Defendant.**

Civil Action No.

**10 0825**

**MEMORANDUM OPINION**

Plaintiff Craig (no last name) has filed an application to proceed without prepayment of fees and a pro se complaint. The application will be granted and the complaint will be dismissed for failure to state a claim upon which relief may be granted.

Craig, who identifies himself in the caption as “a Prisoner of Faith in the Saint Elizabeth Prison Hospital,” brings this suit against the “United States Government” asserting that he has been “falsely imprisoned” in “Saint Elizabeth Psychiatric Hospital” for three years. Complaint at 4. He seeks, as a reasonable accommodation under the Americans with Disabilities Act (“ADA”). 42 U.S.C. §§ 12102 et seq., his release from the psychiatric hospital. In addition, he seeks — as he has in most of the other six complaints he filed along with this one — damages in excess of \$3 trillion for himself, his fiancé, his best man, and a foundation named for his deceased mother. *Id.* at 7.

The essence of the complaint appears to be a challenge to the lawfulness of his custody under District of Columbia’s civil commitment statute. As such, Craig’s remedy is through a habeas petition directed to his immediate custodian, and lodged in a court with jurisdiction over

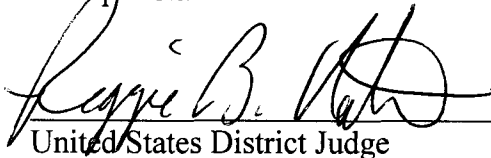
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custodian. See *LoBue v. Christopher*, 82 F.3d 1081, 1082 (D.C. Cir. 1996) (citing *Kaminer v. Clark*, 177 F.2d 51 (D.C. Cir. 1949)); *Bension v. Meredith*, 455 F. Supp. 662, 665 (D.D.C. 1978) (citing *Lake v. Cameron*, 364 F.2d 657 (D.C. Cir. 1966); *Covington v. Harris*, 419 F.2d 617 (D.C. Cir. 1969) (noting that the fact of confinement, the place of confinement, and the least restrictive environment are matters to be considered in a habeas court reviewing a civilly committed patient's confinement in a mental institution). Accordingly, the Court will dismiss the complaint for lack of jurisdiction.

A separate order accompanies this memorandum opinion.

Date: April 30, 2010

  
United States District Judge