

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

Tommy Lee Stevens,

Plaintiff,

v.

Dep't of Health and Human Services et al.,

Defendants.

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Civil Action No.

10 0988

MEMORANDUM OPINION

Before the Court is the plaintiff's pro se complaint and application to proceed in forma pauperis. The application will be granted and the complaint will be dismissed.

The plaintiff, known to this court from similar prior filings, brings a complaint under the False Claims Act, and seeks a preliminary injunction based on the belief that "electronic equipment is being used to lock on and transmit signals to me by use of the electronic chip implanted inside" him. [Motion for] Preliminary Injunction at 2. Plaintiff further requests "that the defendants immediately stop using this equipment on me which is capable of causing severe pain." *Id.* The plaintiff further alleges requests that the defendants stop contacting his girlfriend and forcing her to have sex with other men. *Id.*

A complaint such as this one that describes fantastic or delusional scenarios is subject to immediate dismissal. *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). Accordingly, this complaint will be dismissed.

A separate appropriate order accompanies this memorandum opinion.

Date: 5/24/10

E/L Shuler
United States District Judge