

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

**MAY 31 2011**

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

Antonio Colbert,

Plaintiff,

v.

Hamilton County Courthouse,

Defendant.

Civil Action No.

**11 1014**

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint and application for leave to proceed *in forma pauperis*. Pursuant to 28 U.S.C. § 1915(e), the Court is required to dismiss a complaint upon a determination that it, among other grounds, is frivolous. 28 U.S.C. § 1915(e)(2)(B)(i).

Plaintiff, a District of Columbia resident, sues the county courthouse in Cincinnati, Ohio. In a single-paragraph complaint, plaintiff alleges that "for a 12 year period," defendant "robbed [him] of [his] 5th Amendment right 'Due Process'! Enduring threw [sic] such hardship and malicious persecution." He seeks \$60 million "in restitution."

A complaint may be dismissed under 28 U.S.C. § 1915(e)(2) as frivolous when it describes fantastic or delusional scenarios, contains "fanciful factual allegation[s]," *Neitzke v. Williams*, 490 U.S. 319, 325 (1989), or 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). This complaint qualifies for such treatment. A separate Order of dismissal accompanies this Memorandum Opinion.

*E/la S Hurek*

United States District Judge

DATE: May 25, 2011