UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHIRON BROWN,

Plaintiff,

v. : Civil Action No. 11 1411

ACCESS HOLLYWOOD,

Defendant.

MEMORANDUM OPINION

For purposes of this Memorandum Opinion, the Court consolidates three complaints and applications to proceed *in forma pauperis*.

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)(2)(B)(i). 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 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).

Mindful that a complaint filed by a *pro se* litigant is held to a less stringent standard than that applied to a formal pleading drafted by a lawyer, *see Haines v. Kerner*, 404 U.S. 519, 520 (1972), the Court concludes that the factual contentions of the plaintiff's complaints are baseless and wholly incredible. For this reason, the consolidated complaints are frivolous and must be dismissed. *See* 28 U.S.C. § 1915(e)(2)(B)(i).

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An Order accompanies this Memorandum Opinion.

Henry H. Kennedy, Jr.
United States District Judge

DATE: 7/27/11