

MAR 30 2012

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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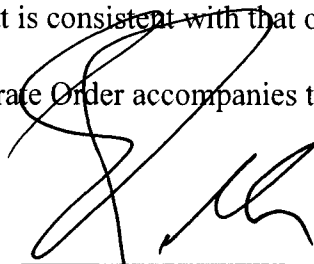
Plaintiff, a prisoner in Oakwood, Virginia, purports to sue under the Federal Tort Claims Act (“FTCA”), 28 U.S.C. §§ 1346(b), 2671-2680, for the alleged acts or omissions of Attorney General Eric Holder, Jr., and Secretary of State Hillary Rodham Clinton. Plaintiff alleges that on February 17, 2011, he “mailed fiduciaries Clinton, and Holder Agent for defendant a Notice of Protests to plaintiff’s unlawful seizure . . . and plaintiff is a Public Minister of the Sovereign Moorish American National . . . being held in the Admiralty and Maritime jurisdiction of the United States . . . by its co-business partner Commonwealth of Virginia a.k.a. State of Virginia.” Compl. ¶ 7. When plaintiff did not receive a response from either Holder or Clinton, he mailed on March 27, 2011, an “Affidavit of Certificate of Non-Response” and, on April 2, 2011, submitted his tort claim for damages “for the failure [of Holder and Clinton] to secure

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[plaintiff's] unalienable Rights, Property, Rights, Immunities" *Id.* ¶¶ 9-10. Plaintiff claims that he received no response to his tort claim within six months, *id.* at 1, and, thus, has commenced this lawsuit against the government for \$20 million. *Id.* at 8.

The United States has consented to be held liable under the FTCA only "in the same manner and to the same extent as a private individual under like circumstances" 28 U.S.C. § 2674. Plaintiff's allegations are barely comprehensible and, in fact, present the type of fantastic or delusional scenarios warranting dismissal of the complaint as frivolous. *See Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *Best v. Kelly*, 39 F.3d 328, 330-31 (D.C. Cir. 1994). Furthermore, nothing in the complaint comes close to alleging behavior on the part of the Attorney General and Secretary Clinton that is consistent with that of a private individual. Hence, this case will be dismissed. A separate Order accompanies this Memorandum Opinion.


United States District Judge

DATE: March 22, 2012