

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

**AUG 30 2012**

**Clerk, U.S. District and  
Bankruptcy Courts**

Neal Franklin Hesterlee, Sr.,

Plaintiff,

v.

Maureen Green *et al.*,

Defendants.

Civil Action No. 12-1047 (UNA)

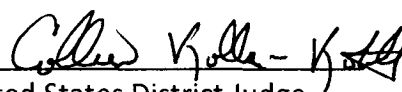
MEMORANDUM OPINION

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*. The Court will grant plaintiff's IFP application and dismiss the case. Pursuant to 28 U.S.C. § 1915A, the Court is required to screen and dismiss a prisoner's complaint against a governmental entity, officer or employee as soon as practicable upon a determination that it, among other grounds, is frivolous. 28 U.S.C. § 1915A.

Plaintiff is a Georgia state prisoner suing Maureen Green whom he identifies as an employee of the Internal Revenue Service in Ogden, Utah, and "Unknown Agents of the I.R.S." for "common law international tort" and "loss of life, liberty and private property rights of a diversity citizen American." Compl. at 1-2. Plaintiff purports to sue the defendants for their alleged "admission of commercial fraud, knowingly and willfully falsifying documents to defraud, breach of contract, theft by conversion, dishonor commercial transaction, trespass on title property, misapplication of private I.R.S. code/statutes [sic] enforced by the United States

Codes, Judgment Creditor” *Id.* at 1-2. Plaintiff demands a “sum certain amount at \$2,151,954,127.30 (billion).” *Id.* at 11.

The complaint presents the type of fantastic or delusional scenarios warranting dismissal under § 1915A 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, complaints that lack “an arguable basis in law and fact” are, too, subject to dismissal as frivolous. *Brandon v. District of Columbia Bd. of Parole*, 734 F.2d 56, 59 (D.C. Cir. 1984); *see Crisafi v. Holland*, 655 F.2d 1305, 1307-08 (D.C. Cir. 1981) (“A court may dismiss as frivolous complaints reciting bare legal conclusions with no suggestion of supporting facts, or postulating events and circumstances of a wholly fanciful kind.”). The instant complaint satisfies the foregoing standard and, thus, will be dismissed. A separate Order accompanies this Memorandum Opinion.

  
United States District Judge

Date: August 22, 2012