

FILED

DEC 14 2012

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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Michael K. Ciacchi,

Petitioner,

v.

Leon Panetta, Secretary of Defense,

Respondent.

Civil Action No.

12 1997


MEMORANDUM OPINION

Petitioner, proceeding *pro se*, has submitted a Petition for a Writ of Habeas Corpus and an application to proceed *in forma pauperis*. The Court will grant the application to proceed *in forma pauperis* and will dismiss the case.

“[F]ederal courts are without power to entertain claims otherwise within their jurisdiction if they are ‘so attenuated and unsubstantial as to be absolutely devoid of merit.’ ” *Hagans v. Lavine*, 415 U.S. 528, 536-7 (1974) (quoting *Newburyport Water Co. v. Newburyport*, 193 U.S. 561, 579 (1904)). Such is the case here. Petitioner is a District of Columbia resident challenging an “unknown form of custody commenced for reasons and by means unknown to him.” Pet. at 1. He states that he is under the authority of Secretary of Defense Leon Panetta and that the “place of confinement, charges of offenses, case number, conviction, and court location [are] unknown.” *Id.*; but see *Ciacchi v. Hogan*, Civ. Action No. 12-1031, 2012 WL 2501027, at *1 (D.D.C. Jun. 22, 2012) (identifying plaintiff then “as a pretrial detainee at the District of Columbia Jail . . . based on a warrant issued by Judge Michael Ryan of the Superior

Court of the District of Columbia"). A separate Order of dismissal accompanies this Memorandum Opinion.

DATE: December 7, 2012


United States District Judge