

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAY 14 2013

Clerk, U.S. District and
Bankruptcy Courts

Xavier Flores,)
)
Plaintiff,)
)
v.)
)
Harp Twins Management,)
)
Defendant.)
_____)

Civil Action No.

13-700

MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The application will be granted and the case will be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) (requiring dismissal of a case upon a determination that the complaint fails to state a claim upon which relief may be granted).

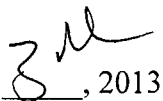
Plaintiff, a homeless individual who submitted more than 30 cryptic complaints within the first two weeks of March alone, sues a private company in Huntley, Illinois, purportedly under the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12101 *et seq.* The complaint "is a denial of a price quote and service of seeing a live performance of the Harp Twins." Compl. at 1.

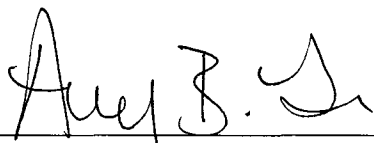
A plaintiff's "allegations must be enough to raise a right to relief above the speculative level" *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (citations omitted); *see Aktieselskabet AF 21. Nov. 2001 v. Fame Jeans, Inc.*, 525 F.3d 8, 16 n.4 (D.C. Cir. 2008) ("We have never accepted 'legal conclusions cast in the form of factual allegations' because a

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complaint needs some information about the circumstances giving rise to the claims.”) (quoting *Kowal v. MCI Commc'ns Corp.*, 16 F.3d 1271, 1276 (D.C. Cir. 1994)). Plaintiff has stated no facts to support an ADA claim. Even if he had, such a claim is properly brought in the judicial district where the alleged unlawful practice occurred or where the relevant records are maintained and administered, which appears in this case to be a federal district court in Illinois. *See* 42 U.S.C. § 12117(a) (incorporating Title VII's enforcement procedures set forth at 42 U.S.C. § 2000e-5(f)(3)). A separate Order of dismissal accompanies this Memorandum Opinion.

Date: May  , 2013


United States District Judge