

JUN 30 2014

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

TERRANCE L. JAMES-BEY.

Plaintiff,

y.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

Civil Action No. 14-1101

MEMORANDUM OPINION

This matter is before the Court on the plaintiff's application to proceed *in forma pauperis* and his *pro se* civil complaint. The application will be granted, and the complaint will be dismissed as frivolous.

The plaintiff alleges that, on February 23, 1980, defendants “negligently . . . misrepresent[ed] James-Bey’s natural person as a Black, Negro, etc., subject to the Assumable Jurisdiction of UNITED STATES citizenship,” and thereby denied him the benefits of his “Moorish American sovereign status.” Compl. at 2 (emphasis in original). As a result, plaintiff not only has been “denationalized,” but also has been “falsely imprisoned” and forced to “suffer[] mental and physical anguish.” *Id.* He demands a judgment in his favor and damages of \$180 million. *Id.*

Based on the language of the complaint and its exhibits, *see, e.g.*, Compl., Ex. (Declaration Affidavit of Moorish American National Status of Inheritance and Indigenous Birth Rights) at 3, the plaintiff claims that he a Moorish American who therefore is not subject to the laws of the United States. This claim is patently frivolous. *See United States v. Toader*, 409 F. App'x 9, 13 (7th Cir. 2010) (rejecting as frivolous arguments “that the federal courts lack subject

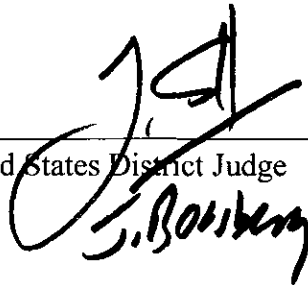
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matter jurisdiction over [the defendant] and that the laws he is charged with violating are inapplicable to him because he is a Native Asiatic Moorish National Citizen”); *Hall-El v. United States*, No. 11-1037, 2013 WL 1346621, at *7 (M.D.N.C. Apr. 3, 2013) (Magistrate Report and Recommendation) (“Plaintiff’s claims which rely on international treaties or organizations and rights of Moorish nationals are clearly frivolous and do not state a claim against Defendants.”), *adopted*, 2013 WL 5213428, at *1 (M.D.N.C. Sept. 16, 2013); *Smith ex rel. Bey v. Kelly*, No. 12-2319, 2012 WL 1898944, at *3 (E.D.N.Y. May 24, 2012) (dismissing as frivolous claim that plaintiff is not subject to state court’s jurisdiction because he is a Moorish American); *Pitt-Bey v. District of Columbia*, 942 A.2d 1132, 1135 (D.C. 2008) (rejecting claims that criminal defendant was “immune from prosecution in the Superior Court of the District of Columbia” and that he “should be accorded diplomatic immunity pursuant to federal law” based on his status as a member of The Nation of Moorish Americans); *see also El Bey v. Centralia Police Dep’t*, No. 13-313, 2013 WL 1788514, at *3 (S.D. Ill. Apr. 26, 2013) (“Plaintiff is free to call himself a Moorish American National, or any other description that suits him. However, he is subject to state and federal laws, just like any other person regardless of citizenship.”).

The Court will grant the plaintiff’s application to proceed *in forma pauperis* and will dismiss the complaint as frivolous. *See* 28 U.S.C. §§ 1915(e)(2)(B)(i), 1915A(b)(1). An Order consistent with this Memorandum Opinion is issued separately.

DATE: 6-26-14


United States District Judge