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JUL 21 2014

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

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

FREDERICK BANKS,)
)
)
 Plaintiff,)
)
 v.)
)
 CENTRAL INTELLIGENCE AGENCY, *et al.*,)
)
 Defendants.)

Civil Action No. **14-1177**

MEMORANDUM OPINION

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

According to plaintiff, he unlawfully confined at a state facility in Ohio; he demands his immediate release from custody. *See* Compl. ¶ 1. Insofar as the pleading can be construed as a petition for a writ of habeas corpus, this district is not the appropriate place for its adjudication. The proper respondent in a habeas corpus action is the plaintiff's warden. *Rumsfeld v. Padilla*, 542 U.S. 426, 434-35 (2004); *Blair-Bey v. Quick*, 151 F.3d 1036, 1039 (D.C. Cir. 1998) (citing *Chatman-Bey v. Thornburgh*, 864 F.2d 804, 810 (D.C. Cir. 1988)). The Court cannot entertain this petition for a writ of habeas corpus because neither the petitioner nor his custodian is within its territorial jurisdiction. *See Stokes v. U.S. Parole Comm'n*, 374 F.3d 1235, 1239 (D.C. Cir. 2004).

Plaintiff remaining claims, particularly those alleging the improper use of "subaural communications and frequencies and bio-electric sensors," Compl. ¶ 1, and the Central

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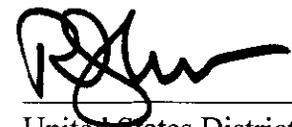
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Intelligence Agency's use of "voice to skull electronic harassment technology," *id.* ¶ 2, will be dismissed as frivolous and duplicative of matters addressed and rejected in prior litigation. See *Banks v. Director, Office of Science and Technology, Behavioral Modification Unit*, No. 1:14-CV-005, 2014 WL 271650, at *4-5 (M.D. Pa. Jan. 23, 2014); *Banks v. Central Intelligence Agency*, No. 1:13-CV-2664, 2013 WL 6328277, at *4-6 (M.D. Pa. Dec. 5, 2013).

An Order accompanies this Memorandum Opinion.

DATE:

2/18/14



United States District Judge