UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

PURNELL NELSON,)	AUG 2 9 2014
Plaintiff,)	Clerk, U.S. District & Bankruptcy Courts for the District of Columbia
v.) Civil A	Action No. 14-1215
BARACK OBAMA, et al.,)	
Defendants.	<i>)</i>)	

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MEMORANDUM OPINION

This matter comes before the court on review of plaintiff's application to proceed *in* forma pauperis with his pro se civil complaint. The Court will grant the application, and dismiss the complaint.

The trial court has the discretion to decide whether a complaint is frivolous, and such finding is appropriate when the facts alleged are irrational or wholly incredible. *Denton v. Hernandez*, 504 U.S. 25, 33 (1992); *see Neitzke v. Williams*, 490 U.S. 319, 325 (1989) ("[A] a complaint, containing as it does both factual allegations and legal conclusions, is frivolous where it lacks an arguable basis either in law or in fact."). According to plaintiff, defendants have failed to perform their various law enforcement duties by bringing criminal charges against the individuals and entities who allegedly have stolen plaintiff's songs, books, and other intellectual property. Having reviewed the plaintiff's complaint, the Court concludes that what factual contentions are identifiable are baseless and wholly incredible. Furthermore, the decision to investigate or prosecute a particular case is left to the discretion of Attorney General, not the

courts. See Shoshone Bannock Tribes v. Reno, 56 F.3d 1476, 1480 (D.C. Cir. 1995) ("Courts have also refused to review the Attorney General's litigation decisions in civil matters."); see also United States v. Nixon, 418 U.S. 683, 693 (1974) (acknowledging that the Executive Branch

The Court will grant plaintiff's application to proceed *in forma pauperis* and will dismiss the complaint pursuant to 28 U.S.C. § 1915(e)(1)(B). An Order consistent with this Memorandum Opinion is issued separately.

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"has exclusive authority and absolute discretion to decide whether to prosecute a case").

United States District Judge

DATE: 8/27/2014