

FILED

SEP - 2 2015

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

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

MICHAEL ROYSTER,

Plaintiff,

v.

WARDEN GLUNT,

Defendant.

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Civil Action No. 15-0067 (UNA)

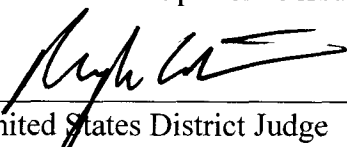
MEMORANDUM OPINION

The court dismissed this action without prejudice because the plaintiff had not submitted with his application to proceed without prepayment of fees a certified copy of his trust fund account statement (or institutional equivalent), including the supporting ledger sheets, for the six-month period immediately preceding the filing of this complaint, obtained from the appropriate official of each prison at which plaintiff is or was confined. 28 U.S.C. § 1915(a)(2). The plaintiff has submitted a trust fund account statement, and the court will reopen this case.

Notwithstanding its obligation to construe a *pro se* complaint liberally, *see Haines v. Kerner*, 404 U.S. 519, 520 (1972), the court has “not only the authority to dismiss a claim based on an indisputably meritless legal theory, but also the unusual power to pierce the veil of the complaint’s factual allegations and dismiss those claims whose factual contentions are clearly baseless.” *Neitzke v. Williams*, 490 U.S. 319, 327 (1989). On careful review of the plaintiff’s complaint, the court identifies no facts to support a viable legal claim. Accordingly, the complaint will be dismissed with prejudice 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:

9/1/2015


United States District Judge