

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

O'DEAN M. GRANT, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 UNITED STATES, *et al.*, )  
 )  
 Defendants. )

Case: 1:15-cv-01796 Jury Demand  
Assigned To : Unassigned  
Assign. Date : 10/21/2015  
Description: Pro Se Gen. Civil F Deck

**MEMORANDUM OPINION**

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] 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.”). Having reviewed the plaintiff’s complaint, the Court concludes that what factual contentions are identifiable are baseless and wholly incredible. Plaintiff’s allegations that defendants “are poisoning [him] and actively trying to kill [him] through various forms and vices, like trying to run over [him],” Compl. at 1, and implanting “illegal devices [into his body] to track, trace and monitor [him,]” *id.* at 2, do not comprise viable legal claims. Furthermore, the allegations of the complaint “constitute the sort of patently insubstantial claims” that deprive the Court of subject matter jurisdiction. *Tooley v. Napolitano*, 586 F.3d 1006, 1010 (D.C. Cir. 2009).

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)(2)(B)(i). An Order consistent with this Memorandum Opinion is issued separately.

DATE:

10/16/15



United States District Judge