

JOHN GREEN,)	
)	
Plaintiff,)	
)	Case: 1:15-cv-02093 Jury Demand
v.)	Assigned To : Unassigned
)	Assign. Date : 12/3/2015
UNITED STATES OF AMERICA, <i>et al.</i> ,)	Description: Pro Se Gen. Civil (F Deck)
)	
Defendants.)	

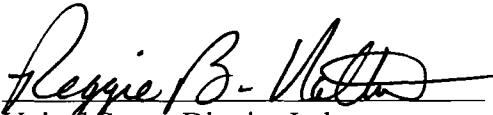
This matter is before the Court on initial review of plaintiff's *pro se* complaint. For the reasons stated below, the complaint will be dismissed.

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. 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), 1915A(b)(1). An Order consistent with this Memorandum Opinion is issued separately.

DATE: *November 13, 2015*


United States District Judge