UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

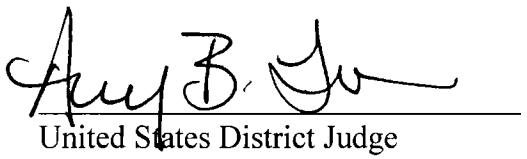
DEBORAH DIANE FLETCHER, Plaintiff, v. SUPERGIRL, Defendant.	)))))))))	Case: 1:16-cv-00614 (D-Deck) Assigned To : Unassigned Assign. Date : 4/1/2016 Description: TRO/PI

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. 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*, deny the plaintiff's motion for a temporary restraining order, and 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: 3/30/16



United States District Judge

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