

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

JAMES THOMAS McBRIDE,

Plaintiff,

v.

LORETTA LYNCH, *et al.*,

Defendants.

Case: 1:16-cv-00695

Assigned To : Unassigned

Assign. Date : 4/13/2016

Description: Pro Se Gen. Civil (F Deck)

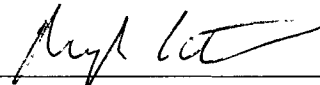
MEMORANDUM OPINION

This matter is before the Court on plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. Plaintiff, who identifies himself as "a private man in original jurisdiction, beneficiary of the Divine Estate Trust as created in the Bible," Compl. at 1, demands his "Divine Inheritance [which] has been mistakenly seized by the Custodian of the Alien Property and is held in [a] Spendthrift Trust," *id.* at 5.

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 as frivolous pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(i) and 1915A(b)(1). An Order consistent with this Memorandum Opinion is issued separately.

DATE: 4/4/2016



United States District Judge