UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

HEATHER ANN EDMUNDS,)
Plaintiff,) Case: 1:16-cv-00979 Assigned To: Unassigned Assign. Date: 5/24/2016 Description: Pro Se Gen. Civil (F Deck)
v.	
GEORGE W. BUSH, SR., et al.,	
Defendant.	

MEMORANDUM OPINION

This matter is before the Court on review of the plaintiff's application to proceed *in* forma pauperis and her pro se civil complaint. For the reasons stated below, the Court will dismiss the complaint with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as frivolous.

Among other things, the plaintiff alleges that the defendants have "[s]tolen [her] votes and adopted [her] children off because [she] wanted to vote for a black president," Compl. at 11, that they have "fil[ed] suit with intentions to harvest [her] fingerprints to the [C]alifornia FBI data base," *id.*, and that they "gave [her] stomach cancer . . . by poisoning [her] with radio active dye," *id.* at 12.

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 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).

An Order consistent with this Memorandum Opinion is issued separately.

DATE: May 20, 2016

United States District Judge