FILED
SEP 29 2016
Clerk, U.S. District and Bankruptcy Courts

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

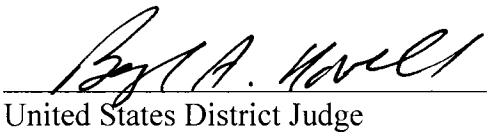
| | | |
|---|---|---|
| GEORGE LEE ODEMNS III, | ) | |
| | ) | |
| Plaintiff, | ) | |
| | ) | Case: 1:16-cv-01923 Jury Demand |
| v. | ) | Assigned To : Unassigned |
| | ) | Assign. Date : 9/29/2016 |
| GOVERNMENT OF THE UNITED STATES, *et al.*, | ) | Description: Pro Se Gen. Civil (F Deck) |
| | ) | |
| Defendants. | ) | |

**MEMORANDUM OPINION**

The trial court has the discretion to decide whether a complaint is frivolous, and such a 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, irrational 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). An Order consistent with this Memorandum Opinion is issued separately.

DATE: 9/23/2016



United States District Judge