

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

ANTHONY SPENCER GREEN, SR., :

Plaintiff, :

v. :

NASA DIRECTOR, :

Defendant. :

Case: 1:16-cv-02387

Assigned To : Unassigned

Assign. Date : 12/7/2016

Description: Pro Se Gen. Civil (F Deck)

MEMORANDUM OPINION

This matter comes before the court on review of plaintiff's application to proceed *in forma pauperis* and *pro se* civil complaint. The Court will grant the application, and dismiss the complaint.

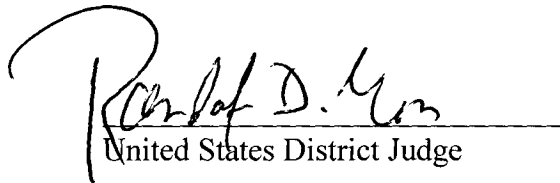
According to plaintiff, defendant is responsible for the installation of a device in his left ear through which NASA monitors his activities. *See* Compl. at 3 (page numbers designated by the Court). In addition, plaintiff alleges that a second procedure was performed at a military hospital to install hardware "that can record & repeat everything" plaintiff thinks and speaks at all times. *Id.* at 4. Plaintiff did not consent to either procedure, and he since has received no compensation, even though bank accounts have been opened in plaintiff's name. *See id.* at 3, 4. For alleged violations of his constitutionally protected rights, plaintiff demands "programs money & all [his] bank accounts in [his] po[s]ession & payments of . . . \$100,000,000." *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 complaint, the Court concludes that what factual contentions are identifiable are baseless and wholly incredible. Therefore, the Court will dismiss the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as frivolous.

An Order consistent with this Memorandum Opinion is issued separately.

DATE: Dec. 2, 2016


United States District Judge