

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Richard Milbourn,

Plaintiff,

v.

Hillary Rodham Clinton *et al.*,

Defendants.

Case: 1:17-cv-00012 Jury Demand
Assigned To : Unassigned
Assign. Date : 1/4/2017
Description: Pro Se Gen. Civil (F Deck)

MEMORANDUM OPINION

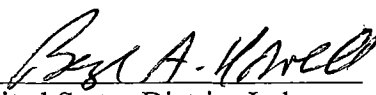
This matter is before the Court on its initial review of the plaintiff's *pro se* complaint and application for leave to proceed *in forma pauperis* (IFP). Under the statute governing IFP proceedings, the Court is required to dismiss a case "at any time" it determines that the action is frivolous, malicious, or fails to state a claim upon which relief may be granted. 28 U.S.C. § 1915 (e)(2). For the reasons explained below, the Court will dismiss this action as frivolous.

The plaintiff is a Nevada state prisoner. In his purported complaint, the plaintiff makes scurrilous accusations against "the Messenger of Death, Hillary Rodham Clinton." Compl. Caption. He also names as defendants George Soros [sic] and the National Democratic Committee. *Id.* Invoking the Racketeer Influenced and Corrupt Organizations (RICO) Act, 18 U.S.C. § 1961 *et seq.*, the plaintiff names twenty-seven "victims," whom defendants allegedly "murdered." Compl. at 2-4 (page numbers modified). The plaintiff accuses Clinton of being "a traitor." Compl. at 7. He concludes, among other things, that Clinton and Soros "built the largest drug cartel in the United States"; that Clinton "committed espionage [sic] and treason against this Plaintiff and Declaration of Independence and Constitution of the United States";

and that Clinton “used as subterfuge, Plaintiff witness William Jefferson Clinton as a scapegoat.” *Id.* at 8. In a separate section of the complaint captioned “Relief and Damages,” the plaintiff seeks, among other monetary relief, \$10 billion “in reparations.” He also demands Clinton’s arrest and the revocation of her security clearance.

Complaints premised on fantastic or delusional scenarios or supported wholly by allegations lacking “an arguable basis either in law or in fact” are subject to dismissal as frivolous. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); see *Denton v. Hernandez*, 504 U.S. 25, 33 (1992) (“[A] finding of factual frivolousness is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible[.]”); *Crisafi v. Holland*, 655 F.2d 1305, 1307-08 (D.C. Cir. 1981) (“A court may dismiss as frivolous complaints . . . postulating events and circumstances of a wholly fanciful kind.”). The instant complaint satisfies this standard; therefore, this case will be dismissed with prejudice. A separate Order accompanies this Memorandum Opinion.

Date: January 3rd, 2017


United States District Judge