

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Launeil Sanders,)		
)		
Plaintiff,)	Case: 1:17-cv-00431	(F-Deck)
)	Assigned To : Unassigned	
v.)	Assign. Date : 3/10/2017	
)	Description: Pro Se Gen. Civil	
U.S. EPA Administrator <i>et al.</i> ,)		
)		
)		
Defendants.)		

MEMORANDUM OPINION

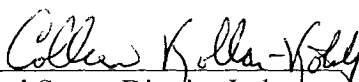
This matter is before the Court on its initial review of plaintiff's *pro se* complaint and application for leave to proceed *in forma pauperis* (IFP). Under the statute governing IFP proceedings, the Court is required to dismiss a case "at any time" it determines that the action is frivolous, malicious, 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.

Plaintiff is a resident of Boiling Springs, South Carolina. He has filed suit against the Administrator of the U.S. Environmental Protection Agency, the South Carolina Department of Health and Environmental Control, and the International Paper Company. The complaint consists mostly of puzzling narratives. In the beginning of the complaint, however, plaintiff states that he is "writing . . . to ask [for] help in bringing [his] new technology to market." Compl. at 1. Plaintiff states that he has "filed many lawsuits in federal court in Greenville, South Carolina." *Id.* In fact, he has filed so many suits that in 2014, the District of South Carolina adopted a magistrate judge's report and recommendation and dismissed plaintiff's repetitive claims "as both frivolous and malicious." *Sanders v. U.S. EPA*, No. 7:13-CV-02945-RBH, 2014

WL 12538159, at *2 (D.S.C. Apr. 21, 2014). Plaintiff fared no better in his appeal of that order. See *Sanders v. EPA Adm'r*, 585 Fed. App'x 52 (4th Cir. 2014) (per curiam) (“We have reviewed the record and find that this appeal is frivolous. Accordingly, we deny leave to proceed *in forma pauperis* and dismiss the appeal for the reasons stated by the district court.”).

As best this Court can tell, the instant complaint, naming the same defendants as in the prior cases, is premised on the same “meritless” accusations underlying the complaints dismissed by the District of South Carolina as frivolous, malicious or for failure to state a claim. *Sanders*, 2014 WL 12538159, at *2 (citing cases). Like the prior cases, this action lacks “an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). Therefore, it too will be dismissed as frivolous. 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.”). A separate Order accompanies this Memorandum Opinion.

Date: March 7th, 2017


United States District Judge