

FILED

FEB 27 2018

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Lamar Christopher Chapman, III,

Plaintiff,

Amit Priyavadan Mehta *et al.*,

Defendants.

Civil Action No. 17-2812 (UNA)

MEMORANDUM OPINION

Plaintiff is a prisoner incarcerated at the Federal Correctional Institution in Loretto, Pennsylvania. He has filed a “Verified Complaint for Injunction; Declaratory Relief; Civil Rights Redress and Constitutional Relief” under 42 U.S.C. § 1983. Compl. at 2. For the reasons explained below, the *in forma pauperis* application will be granted and this case will be dismissed pursuant to 28 U.S.C. § 1915A, which requires immediate dismissal of a prisoner’s complaint that fails to state a claim upon which relief can be granted or is frivolous or malicious.

“A complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009), quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). A complaint that lacks “an arguable basis either in law or in fact” is frivolous, *Neitzke v. Williams*, 490 U.S. 319, 325 (1989), and a “complaint plainly abusive of the judicial process is properly typed malicious,” *Crisafi v. Holland*, 655 F.2d 1305, 1309 (D.C. Cir. 1981).

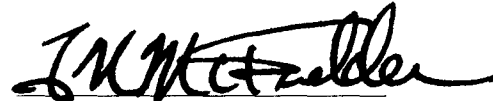
Plaintiff is a self-described “life-long federal discoverer,” among other titles. Compl. at 7.¹ He names as defendants Judge Amit Mehta, who sits in this Court; Barry Soetoro, which is a name associated with former President Barack Obama, *see* Compl. at 10; the Judiciary Committee of the United States Senate; and United Senators Patrick J. Leahy and Richard Durban. Compl. Caption. Plaintiff’s narrative comprising the prolix complaint is largely incomprehensible. Most discernible are the scurrilous comments about Judge Mehta and “Barry Soetoro.” *See* Compl. at 3, 8-9, 12-13. The attachments to the complaint suggest that this action stems from the dismissal of plaintiff’s case by Judge Mehta. *See* Compl. Attachs. at ECF pp. 55-60 (dismissal order and related documents filed in *Chapman v. Obama*, No. 16-cv-1763). Plaintiff seems to fault the Senate defendants for their presumed role in Judge Mehta’s elevation to the federal bench. *See* Compl. at 8 (stating that the Senate defendants are “case and controversy defendant[s] only for the verified claim of injunctive relief or declaratory relief” as “the Court is being asked to intervene and to enjoin the Article III Senate confirmation of” Judge Mehta).

A court may dismiss a complaint as frivolous “when the facts alleged rise to the level of the irrational or the wholly incredible,” *Denton v. Hernandez*, 504 U.S. 25, 33 (1992), or “postulat[e] events and circumstances of a wholly fanciful kind,” *Crisafi*, 655 F.2d at 1307-08. In addition, a complaint against a federal judge premised on “nothing more than [the performance of his] duty” is “meritless,” *Fleming v. United States*, 847 F. Supp. 170, 172 (D.D.C. 1994), *cert. denied* 513 U.S. 1150 (1995), and is deemed “abusive” when it “contains disrespectful references to the court” or is “plainly abusive of the judicial process.” *Crisafi*, 655 F.2d at 1309. In addition to failing sorely to state a claim for relief, the instant complaint is

¹ The page citations are those assigned by the CM/ECF system.

frivolous and malicious. Consequently, the complaint and this case will be dismissed with prejudice. A separate order accompanies this Memorandum Opinion.

Date: February 26, 2018


United States District Judge