

FILED

FEB 28 2018

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

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

JOSEPH PIRELA,

Plaintiff,

v.

ILEANA ROS-LEHTINEN, *et al.*,

Defendants.

Civil Action No. 18-0295 (UNA)

MEMORANDUM OPINION

This matter is before the Court on consideration of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. Notwithstanding its obligation to construe a *pro se* complaint liberally, *see Haines v. Kerner*, 404 U.S. 519, 520 (1972), the court has "not only the authority to dismiss a claim based on an indisputably meritless legal theory, but also the unusual power to pierce the veil of the complaint's factual allegations and dismiss those claims whose factual contentions are clearly baseless." *Neitzke v. Williams*, 490 U.S. 319, 327 (1989). On careful review of the plaintiff's complaint, the court identifies nothing in the complaint suggesting that this plaintiff raises a claim with "an arguable basis in law and fact." *Brandon v. District of Columbia Bd. of Parole*, 734 F.2d 56, 59 (D.C. Cir. 1984). Rather, because the complaint appears to be based on "fanciful factual allegations[.]" it is subject to dismissal as frivolous. *Neitzke*, 490 U.S. 319 at 328. Accordingly, the complaint will be dismissed with prejudice as frivolous. *See* 28 U.S.C. § 1915(e)(2)(B)(i). An Order consistent with this Memorandum Opinion is issued separately.

DATE:

2/28/18


United States District Judge