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DEC 31 2018

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

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

EDWARD THOMAS KENNEDY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 18-2700 (UNA)
	)	
UNITED STATES SOCIAL SECURITY	)	
ADMINISTRATION, <i>et al.</i> ,	)	
	)	
Defendants.	)	

MEMORANDUM OPINION

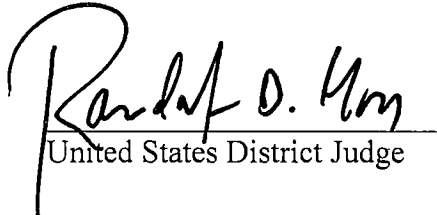
Plaintiff alleges that defendants injured him “in violation of US Law and the Law of the Case, Claim Number xxx-xx-5450 DI, dated October 18, 2018.” Compl. ¶ 3. It appears that plaintiff may be challenging the denial of an application for Social Security benefits. If this is plaintiff’s intention, he fails either to identify a “final decision of the Commissioner of Social Security,” 42 U.S.C. § 405(g), or to allege sufficient facts from which the Commissioner may reasonably identify the decision being challenged. Rather than dismiss this action, the Court will grant plaintiff leave to amend the complaint to provide adequate notice of his claim.

Although complaints by *pro se* litigants are held to “less stringent standards than formal pleadings drafted by lawyers,” *Haines v. Kerner*, 404 U.S. 519, 520 (1972), 28 U.S.C. § 1915(d) authorizes the Court to dismiss a complaint *sua sponte* where “it lacks an arguable basis in either law or in fact,” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see also Tate v. Burke*, 131 F.R.D. 363, 365 (D.D.C. 1990) (“[T]his Court notes that the statutory provisions for proceedings *in forma pauperis* specifically authorize the *sua sponte* dismissal of ‘frivolous or malicious’ lawsuits in which there is indisputedly no factual and legal basis for the asserted wrong.”).

This is not Plaintiff's only case before this Court. He has also brought suit against the Department of Treasury, No. 18-cv-2699, the U.S. District Court for the District of Massachusetts, No. 18-cv-2697, and the U.S. District Court for the Middle District of Pennsylvania, No. 18-cv-2694, asserting similar claims. Here, Plaintiff alleges that the U.S. Social Security Administration committed, *inter alia*, trespass, Dkt. 1 at 2 (Compl.), intentional infliction of emotional distress, *id.* at 6 (Compl.), and failure to provide a republican form of government, *id.* at 5 (Compl.). He pleads no facts in support of his claims aside from listing, without any explanation, "Claim Number xxx-xx-5450 DI" and asserting that Defendants "kept him financially imprisoned." *Id.* at 2 (Compl. ¶ 8). The Court, will, accordingly, grant Plaintiff's motion to proceed *in forma pauperis* and dismiss his complaint, pursuant to 28 U.S.C. § 1915(d), as frivolous.

A separate Order will issue.

DATE: December 31, 2018

  
United States District Judge