

FILED

DEC 31 2018

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

**Clerk, U.S. District and
Bankruptcy Courts**

WALTER BEN DURASO,

Plaintiff,

v.

NATIONAL SECURITY AGENCY, *et al.*,

Defendants.

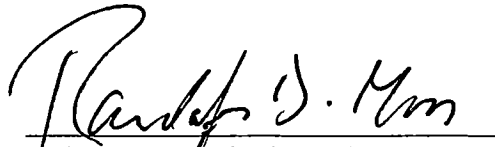
Civil Action No. 18-2754 (UNA)

MEMORANDUM OPINION

This Court has the discretion to decide whether a complaint is frivolous, and such finding is appropriate when the facts alleged are irrational or wholly incredible. *See Denton v. Hernandez*, 504 U.S. 25, 33 (1992); *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (“[A] complaint, containing as it does both factual allegations and legal conclusions, is frivolous where it lacks an arguable basis either in law or in fact.”). Having reviewed the plaintiff’s complaint carefully, particularly unsupported assertions that the plaintiff “is being monitored by various Government technology,” Compl. at 4 (page number designated by ECF), the Court deems the complaint frivolous.

The plaintiff’s application to proceed *in forma pauperis* is granted, and the complaint is dismissed as frivolous pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(i); 1915A(b)(1). An Order is issued separately.

DATE: *December 27, 2018*


United States District Judge