

FILED

JAN 18 2019

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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATALIA URBASCH,

Plaintiff,

v.

NATIONAL SECURITY AGENCY/
CENTRAL SECURITY SERVICE,

Defendant.

Civil Action No. 18-3161 (UNA)

MEMORANDUM OPINION

This matter comes before the court on review of plaintiff's application to proceed *in forma pauperis* and her *pro se* civil complaint. Plaintiff alleges that, in July 2018, "all [her] computers, telephones and car began to be under the total surveillance by the National Security Agency of the United States of America, the 'NSA.'" Compl. ¶ 1. She alleges that she "was filmed through the use of secret cameras in several places around the United States," *id.* ¶ 6, and that NSA and the Central Intelligence Agency shared information about her to HBO Latin America, *id.* ¶ 10. In turn, plaintiff alleges, HBO Latin America aired information about her, *see id.* ¶¶ 4, 10, without her permission, *id.* ¶ 12. And because plaintiff cannot access information about herself on the internet, *see id.* ¶¶ 3-4, she neither can "see comments, pictures, videos or any reaction regarding the airing of [the] show in HBO Latin America," *id.* ¶ 4, nor exercise "control over [her] privacy," *id.* ¶ 13. Plaintiff asserts that HBO Latin America could not have "air[ed] the show, infiltrate[d her] day to day life with paid artists, and completely destroy [her] dignity and reputation" without the participation of NSA and CIA. *Id.* ¶ 15. She demands a

court order restoring her access to the internet and stopping the video and audio surveillance. *Id.* at 4.

The trial 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. *Denton v. Hernandez*, 504 U.S. 25, 33 (1992); *see 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 complaint, the Court concludes that the factual contentions of plaintiff’s complaint are baseless and wholly incredible. Therefore, the Court will grant the plaintiff’s application to proceed *in forma pauperis*, deny as moot her motion for injunctive relief, and dismiss the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as frivolous. An Order consistent with this Memorandum Opinion is issued separately.

DATE: January 13, 2019


United States District Judge