

FILED

SEP 04 2019

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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

TERRY ASHFORD,

Plaintiff,

v.

Civil Action No. 19-2417 (UNA)

U.S. DEPARTMENT OF
HOMELAND SECURITY, *et al.*,

Defendants.

MEMORANDUM OPINION

This matter comes before the court on review of plaintiff's application to proceed *in forma pauperis* and his *pro se* civil complaint. The complaint alleges a plot involving federal government and local law enforcement agencies to assassinate the plaintiff's mother and to terrorize the plaintiff.

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* and dismiss the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as frivolous. An Order is issued separately.

DATE: Sept. 3rd, 2019


United States District Judge