

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**  
**FEB 25 2020**

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

Paul Maas Risenhoover,

Plaintiff,

v.

Donald Trump *et al*,

Defendants.

Civil Action No. 20-39 (UNA)

**MEMORANDUM OPINION**

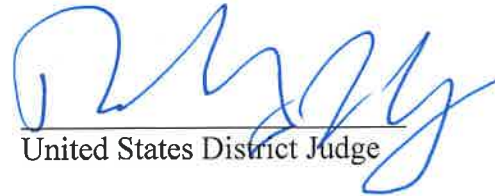
This action, brought *pro se*, is before the Court on review of plaintiff's application to proceed *in forma pauperis* and complaint. The Court will grant the application and dismiss the case pursuant to 28 U.S.C. § 1915(e)(2)(B) (requiring dismissal of a case upon a determination that the complaint fails to state a claim upon which relief may be granted).

A "complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). Plaintiff has filed a largely incomprehensible pleading in which he seeks declaratory relief "for right of locomotion free from being perjoratively designated as Chinese, rather than as Japanese Formosans." Compl. at 1. Among the listed defendants are President Donald Trump and Japan's Prime Minister Shinzo Abe.

It is a "well-established rule that the Declaratory Judgment Act 'is not an independent source of federal jurisdiction.' Rather, 'the availability of [declaratory] relief presupposes the existence of a judicially remediable right.'" *Ali v. Rumsfeld*, 649 F.3d 762, 778 (D.C. Cir. 2011) (quoting *C & E Servs., Inc. of Washington v. D.C. Water & Sewer Auth.*, 310 F.3d 197, 201

(D.C. Cir. 2002). Plaintiff has “not alleged a cognizable cause of action” and thus has “no basis upon which to seek declaratory relief.” *Id.* A separate order of dismissal accompanies this Memorandum Opinion.

Date: February 24, 2020



United States District Judge