

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED
JAN 31 2020
Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

DARLENE CORTEZ,

Plaintiff,

v.

ROBERT HUNTER BIDEN, *et al.*,

Defendants.

Civil Action No. 20-0105 (UNA)

MEMORANDUM OPINION

This matter is before the Court on the plaintiff's application to proceed *in forma pauperis* and her *pro se* complaint. For the reasons stated below, the Court will grant the application and dismiss the complaint.

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 plaintiff's complaint, the Court concludes that what factual contentions are identifiable are baseless and wholly incredible. For this reason, the complaint is frivolous and must be dismissed. *See* 28 U.S.C. § 1915(e)(1)(B). An Order consistent with this Memorandum Opinion is issued separately.

DATE: January 31, 2020


AMIT P. MEHTA

United States District Judge