

FOLA MBORIKAWILLIAM EL,  
Plaintiff,  
v.  
SCOTTCOLWELL,  
Defendant.


On January 17, 2020, Plaintiff Fola Mborika Will I Am El filed a “Complaint for Judicial Review” against Scott Colwell, who appears to be an official or employee of the state of Pennsylvania and located in Philadelphia. Compl., ECF No. 1. Plaintiff’s Complaint asserts that she “is an american indian privately residing within the union member state of texas,” and invokes the “exclusive equity jurisdiction under article iii sec. 2 subdivision 1 of this written constitution for the united states of america.” *Id.* at 2. Plaintiff adds that the “nature of suit is extraordinary, special exigent and private restricted, confidential, proprietary and privileged, not for publication,” though she makes reference to “enforce[ment] [of] a private express trust.” *Id.* at 3.

“Complaints may [ ] be dismissed, *sua sponte* if need be, under Rule 12(b)(6) whenever ‘the plaintiff cannot possibly win relief.’” *Best v. Kelly*, 39 F.3d 328, 331 (D.C. Cir. 1994) (quoting *Baker v. Director, United States Parole Comm’n*, 916 F.2d 725, 727 (D.C. Cir. 1990) (per curiam)). Here, Plaintiff’s Complaint contains no facts at all. The nature of her claim is not evident; nor is the court’s basis for subject matter jurisdiction. *See Evans v. Suter*, No. 09-5242, 2010 WL 1632902, at \*1 (D.C. Cir. Apr. 2, 2010) (stating that “a district court may dismiss a complaint *sua sponte* prior to service on the defendants pursuant to Fed. R. Civ. P. 12(h)(3) when,

as here, it is evident that the court lacks subject-matter jurisdiction”). The court therefore dismisses this action sua sponte without prejudice.

A final, appealable order accompanies this Memorandum Opinion.

Dated: January 27, 2020



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Amit P. Mehta  
United States District Judge