

Defendant. )

years, [his] family sought medical help for their various health conditions and had number of tests/procedures done. Surprisingly, every test/procedure result would never show any major diseases, but their health issues would never get better.” *Id.* ¶ 5.


Plaintiff alleges that since 2000, Defendant has “unlawfully engaged in wrongful conduct using directed energy and microwave weapons; as well as ‘Satellite or Radar-Based Through-the-Wall Surveillance System’ that emit low radiations and electric current for mind control and to harm, torture the Plaintiff.” *Id.* at 3 ¶ 1. The allegations continue in this fashion. *See id.* at 4-5. For example, “[i]n December 2010, due to Defendant’s intensified [sic] electronic harassment, electronic surveillance, and stalking/surveillance activities at his workplace and in the city, Plaintiff [became] unable to work and quit his employment while he was working at NYS-OTDA/DDD in Albany.” *Id.* ¶ 4.

Apart from the “non-stop” mind control, stalking, “Cyberstalking, Cyberbullying, and Cyber Harassment,” *id.* at 3 ¶ 2, 5 ¶¶ 16–17, Plaintiff alleges that “[d]uring 2007 – 2009,” when supposedly he was living and working in the United States, “Defendant personnel intentionally delayed approval and denials of [his] immigration documents without giving any reason.” *Id.* at 4 ¶ 6. He also accuses Defendant of “collabora[ting]” with his former non-federal employers “to dictate and reduce his work assignment” and “to [make] him lose employment,” *id.* at 6 ¶¶ 21–22, and “with Indian authorities” to, among other things, “disallow Plaintiff’s employment in India,” *id.* ¶ 25. Allegedly, “Plaintiff’s Indian phone line(s) are tapped and information from his phone line(s) are used for Cyberstalking and Cyber harassment.” *Id.* ¶ 25.

Complaints premised on fantastic or delusional scenarios or supported wholly by allegations lacking “an arguable basis either in law or in fact” are subject to dismissal as frivolous. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see Denton v. Hernandez*, 504 U.S. 25, 33 (1992)

("[A] finding of factual frivolousness is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible[.]"); *Best v. Kelly*, 39 F.3d 328, 330–31 (D.C. Cir. 1994) (a court may dismiss claims that are "essentially fictitious"-- for example, where they suggest "bizarre conspiracy theories . . . [or] fantastic government manipulations of their will or mind") (citations and internal quotation marks omitted)); *Crisafi v. Holland*, 655 F.2d 1305, 1307–08 (D.C. Cir. 1981) ("A court may dismiss as frivolous complaints . . . postulating events and circumstances of a wholly fanciful kind."). The instant Complaint satisfies this standard. Therefore, this case will be dismissed with prejudice. A separate order accompanies this Memorandum Opinion.

DATE: August 4, 2021

  
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CARL J. NICHOLS  
United States District Judge