

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

SEPT. 8, 2021

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

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| RAJ K. PATEL, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 21-2263 (UNA) |
| |) | |
| UNITED STATES, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint, application for leave to proceed *in forma pauperis*, and "Motion to Receive Notice of Filing by E-mail."¹ Under the statute governing *in forma pauperis* proceedings, the Court is required to dismiss a case "at any time" it determines that the action is frivolous, malicious, or fails to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2).

The Court has reviewed plaintiff's complaint and finds that its factual allegations, including assertions that defendants have taken his "intellectual property [and] word patterns, through means and methods of advanced weaponry . . . [under] the control of the United States, . . . the F.B.I. and/or C.I.A.," Compl. at 2-3 (emphasis removed), largely are incoherent, irrational or wholly incredible. As such, the complaint is subject to dismissal as frivolous. *See Denton v. Hernandez*, 504 U.S. 25, 33 (1992) ("[A] finding of factual frivolousness is appropriate when the facts alleged

¹ The original complaint (ECF No. 1) and application to proceed *in forma pauperis* (ECF No. 2) did not bear plaintiff's signature as is required under Fed. R. Civ. P. 11(a). Pursuant to the Court's August 27, 2021, Order (ECF No. 4), plaintiff submitted signed copies of these documents (ECF Nos. 5-6).

rise to the level of the irrational or the wholly incredible[.]”); *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.”); *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 Court will grant the application to proceed *in forma pauperis* and Motion to Receive Notice of Filing by E-mail, and dismiss the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as frivolous. An Order is issued separately.

/s/
AMY BERMAN JACKSON
United States District Judge

DATE: September 8, 2021