

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

OMAR MEDINA ALEJANDRO,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 22-589 (UNA)
)	
U.S. GOVERNMENT <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM OPINION

Plaintiff, appearing *pro se*, has filed a form Complaint for a Civil Case, ECF No. 1, and an application to proceed *in forma pauperis*, ECF No. 2. The Court will grant the application and dismiss this action pursuant to 28 U.S.C. § 1915(e)(2)(B) (requiring immediate dismissal of a case upon a determination that the complaint is frivolous).

Plaintiff is a resident of San Pedro, California, who has sued the United States for “30 M USD.” Compl. at 4. Plaintiff also wants, among other relief, “everybody that comes close to me to take off their Halloween face mask so that I know that my life is not at risk of loss of life.” *Id.* Under Statement of Claim, Plaintiff writes:

People wear Halloween face masks and put mini-speakers behind their head, underneath Halloween face masks, and blast depressing words in my ears. I could make a costly mistakes by mistakenly pointing out a person that blast depressing words to my ears through a mini speaker underneath a Halloween face masks. How can I verify if a person has a mini speaker underneath his or her Halloween face mask, in the back of his or her head. when I can't take off a person's Halloween face mask to inspect Halloween face mask for mini speaker? I don't wear Halloween face masks. But it is very easy for a person that "does" wear Halloween face mask, to know that it is not me who is biasing unwanted words through a mini speaker underneath a person's Halloween face males.

Id.

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 and suggests no hint of a cure. Therefore, this case will be dismissed with prejudice. *See Firestone v. Firestone*, 76 F.3d 1205, 1209 (D.C. Cir. 1996) (per curiam) (“A dismissal with prejudice is warranted . . . when a trial court ‘determines that the allegation of other facts consistent with the challenged pleading could not possibly cure the deficiency.’”) (quoting *Jarrell v. United States Postal Serv.*, 753 F.2d 1088, 1091 (D.C. Cir. 1985) (emphasis omitted)). A separate order accompanies this Memorandum Opinion.

_____/s/_____
AMIT P. MEHTA
United States District Judge

Date: March 29, 2022