

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

SUSAN KNISELY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 23-01271 (UNA)
	)	
MERRICK GARLAND	)	
Honorable,	)	
	)	
	)	
Defendant.	)	

**MEMORANDUM OPINION**

Plaintiff, appearing *pro se*, has filed a Complaint, 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 fails to state a claim on which relief may be granted).

Plaintiff is a resident of Las Vegas, Nevada, who has sued U.S. Attorney General Merrick Garland. The complaint’s incoherency is reason enough to dismiss the case. *See* Fed. R. Civ. P. 8 (minimum pleading requirements); *Jiggetts v. District of Columbia*, 319 F.R.D. 408, 413 (D.D.C. 2017), *aff’d sub nom. Cooper v. District of Columbia*, No. 17-7021, 2017 WL 5664737 (D.C. Cir. Nov. 1, 2017) (a complaint that is “rambling, disjointed, incoherent, or full of irrelevant and confusing material will patently fail [Rule 8(a)’s] standard”). Nevertheless, Plaintiff seeks to compel “the U.S. Attorney General [to] resolve the public corruption problem obstructing justice that is preventing” Plaintiff “from filing a civil lawsuit in this Court against the Islamic Republic of Iran and collecting restitution[.]” Compl. at 5 (Relief). But courts cannot compel the executive branch to initiate an investigation or a prosecution because such decisions are “generally committed to an agency’s absolute discretion,” *Heckler v. Chaney*, 470 U.S. 821, 831 (1985), and

“[m]andamus will not lie to control the exercise of this discretion,” *Powell v. Katzenbach*, 359 F.2d 234, 234 (D.C. Cir. 1965). Therefore, this case is dismissed appropriately for failure to state a claim. A separate order accompanies this Memorandum Opinion.

Date: May 16, 2023

\_\_\_\_\_/s/\_\_\_\_\_  
CHRISTOPHER R. COOPER  
United States District Judge