

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

|                                   |   |                                 |
|-----------------------------------|---|---------------------------------|
| RAJ K. PATEL,                     | ) |                                 |
|                                   | ) |                                 |
| Plaintiff,                        | ) |                                 |
|                                   | ) |                                 |
| v.                                | ) | Civil Action No. 23-03215 (UNA) |
|                                   | ) |                                 |
|                                   | ) |                                 |
| MERRICK B. GARLAND <i>et al</i> , | ) |                                 |
|                                   | ) |                                 |
|                                   | ) |                                 |
| Defendants.                       | ) |                                 |

**MEMORANDUM OPINION**

Plaintiff, appearing *pro se*, has filed on the public record an Amended Complaint for Violation of Civil Rights and an application to proceed *in forma pauperis*. See Order, ECF No. 6 (denying Plaintiff’s motion to seal the case). 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, a resident of Indianapolis, Indiana, sues U.S. Attorney General Merrick B. Garland, Vice President Kamala D. Harris in her capacity as President of the Senate, U.S. Ambassador to the United Nations Linda Thomas-Greenfield, and former U.N. Ambassador Nikki Haley. Am. Compl., ECF No. 13 at 2-3. Plaintiff accuses “Each Defendant” of being “the proximate cause of the deprivation of [his] civil liberties because they have failed to act and perform their contract-in law,” which he alleges is “a ministerial duty from the United States Constitution to aid my personal expression and sexual promiscuity.” *Id.* at 4. The allegations continue in this incomprehensible manner. See *id.* at 4-9. For example, Plaintiff alleges that he has “a ringing sound inside my head of low-pitch that causes my mental pain and suffering” and “has caused severe obesity and loss of interests in health and diet culture.” *Id.* at 9. Plaintiff faults

each defendant for failing to answer his “Grievance” sent at an unspecified time and seeks to hold them liable “per the law of contracts of contract-in-law[.]” *Id.* at 9, 11.

Complaints premised on fantastic or delusional scenarios or supported wholly by allegations lacking “an arguable basis either in law or in fact” may be dismissed as frivolous. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). The term frivolous “embraces not only the inarguable legal conclusion, but also the fanciful factual allegation.” *Id.* The instant complaint satisfies this standard. To the extent that Plaintiff seeks to recover from the government officials for breach of contract, that ship has sailed. *See Patel v. United States*, No. 21-cv-02004, 2021 WL 9528173, at \*1 (Fed. Cl. Nov. 5, 2021), *aff’d*, No. 2022-1131, 2022 WL 4956868 (Fed. Cir. Feb. 11, 2022) (describing breach of contract allegations as “ ‘delusional’ or ‘clearly baseless’ . . . . In other words, plaintiff’s claims are frivolous”) (citation omitted)). Consequently, this case will be dismissed by separate order.

Date: February 8, 2024

\_\_\_\_\_/s/\_\_\_\_\_  
RUDOLPH CONTRERAS  
United States District Judge