

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

MATTHEW J. SHERVEN,

Plaintiff,

v.

DEPARTMENT OF DEFENSE,

Defendant.

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Civil Action No. 23-03534 (UNA)

**MEMORANDUM OPINION**

Plaintiff, appearing *pro se*, has filed a complaint against the U.S. Department of Defense and an application to proceed *in forma pauperis*. 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 Mount Horeb, Wisconsin, alleges that “over the past 4 years,” he has “noticed that a black-hawk helicopter owned by the Department of Defense (DOD) was following him around, everywhere he went.” Compl. at 2. Plaintiff “used an infrared camera and was able to see that the helicopter was aiming infrared lasers at his body.” *Id.* He seeks an order compelling “the DOD to stop stalking him.” *Id.*

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); see *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”) (internal quotation marks and citations omitted)). The instant complaint satisfies the foregoing standard. Therefore, this case will be dismissed by separate order.

Date: January 11, 2024

/s/  
CHRISTOPHER R. COOPER  
United States District Judge