

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

Caryl Danita Carby v. Barack Heissein Obama, et al.

Carby · No. 2:26-CV-0042-TOR · Decided April 24, 2026

SUMMARY

The United States District Court for the Eastern District of Washington dismissed Caryl Danita Carby's pro se complaint with prejudice. The court concluded that the complaint failed to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii), that amendment would be futile, and directed that the case be closed.

CASE DETAILS

COURT	United States District Court for the Eastern District of Washington
JURISDICTION	United States District Court for the Eastern District of Washington
DECIDED	April 24, 2026
DOCKET	2:26-CV-0042-TOR
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court screened Plaintiff's complaint under 28 U.S.C. § 1915(e)(2)(B)(ii) after denying Plaintiff's application to proceed in forma pauperis with leave to renew or pay the filing fee. Plaintiff neither renewed the application nor paid the fee.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B)(ii), the court applies the same standard as Federal Rule of Civil Procedure 12(b)(6): dismissal is proper when the complaint lacks a cognizable legal theory or sufficient facts to support one. The court accepts material factual allegations as true and construes them in the light most favorable to the plaintiff, but disregards mere legal conclusions and requires facts sufficient to state a plausible claim. Pro se pleadings are construed liberally.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential

TOPICS

- motions to dismiss
- pleadings
- civil procedure
- section 1983

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint stated a claim upon which relief could be granted under 28 U.S.C. § 1915(e)(2)(B)(ii) and the Rule 12(b)(6) standard.
2. Whether Plaintiff should be granted leave to amend the complaint.

HOLDINGS

1. The complaint failed to state a claim because it lacked sufficient facts to support a cognizable legal theory against any defendant.
2. Leave to amend was properly denied because it was absolutely clear that amendment would be futile.

KEY QUOTATIONS

“notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that the action or appeal fails to state a claim upon which relief may be granted.”” (at 1)

“The Court finds that it is absolutely clear that no amendment will cure the deficiencies in Plaintiff’s Complaint.” (at 2)

FACTUAL BACKGROUND

Plaintiff, proceeding pro se, filed a handwritten and largely unintelligible complaint against Barack Hussein Obama and other individuals and entities. The complaint sought \$60 billion in damages and a permanent injunction and appeared to allege defamation, slander, identity theft, and fraud. The court found that the complaint lacked sufficient facts to support a cognizable legal theory against any defendant.

PROCEDURAL HISTORY

Plaintiff filed the action on January 23, 2026, seeking \$60 billion in damages and a permanent injunction based on allegations apparently involving defamation, slander, identity theft, and fraud. The court previously denied Plaintiff's in forma pauperis application with leave to renew or pay the full filing fee within 30 days. Plaintiff did neither, and the court dismissed the complaint with prejudice, directed entry of judgment, and closed the file.

DISPOSITION

dismissed

CASES CITED

- *Balistreri v. Pacifica Police Department*, 901 F.2d 696, 699 (9th Cir. 1990)
- *Watson v. Carter*, 668 F.3d 1108, 1112 (9th Cir. 2012)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009)

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010)
- Noll v. Carlson, 809 F.2d 1446, 1448 (9th Cir. 1987)
- Aktar v. Mesa, 698 F.3d 1202, 1212 (9th Cir. 2012)

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