

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

Caryl Danita Carby v. Barrack Hussein Obama, et al.

No. 2:26-CV-0054-TOR (E.D. Wash. Apr. 24, 2026) · No. No. 2:26-CV-0054-TOR · Decided April 24, 2026

SUMMARY

The United States District Court for the Eastern District of Washington dismissed Caryl Danita Carby’s complaint against Barrack Hussein Obama and other defendants with prejudice. The court held that the complaint failed to state a plausible claim under 28 U.S.C. § 1915(e)(2)(B)(ii), and that amendment would be futile; the court also noted that Plaintiff had neither renewed her in forma pauperis application nor paid the filing fee.

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	No. 2:26-CV-0054-TOR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff's complaint was screened under 28 U.S.C. § 1915(e)(2)(B)(ii) after her application to proceed in forma pauperis was denied and she neither renewed the application nor paid the filing 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, and the plaintiff cannot prove any set of facts that would entitle her to relief. Material factual allegations are accepted as true and construed favorably to the plaintiff, but legal conclusions and formulaic recitations are not.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- motions to dismiss
- pleadings
- civil procedure
- civil rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint failed to state a claim upon which relief could be granted under 28 U.S.C. § 1915(e)(2)(B)(ii).
2. Whether dismissal with prejudice was appropriate because amendment would be futile.

HOLDINGS

1. The complaint failed to state a claim because it lacked sufficient facts to support a cognizable legal theory against any defendant.
2. Dismissal with prejudice was appropriate because it was absolutely clear that amendment would not cure the deficiencies in the complaint.

KEY QUOTATIONS

“A complaint fails to state a claim upon which relief may be granted if it lacks a cognizable legal theory or lacks sufficient facts to support a cognizable legal theory.” (1)

“The standard for determining whether a plaintiff has failed to state a claim upon which relief can be granted under § 1915(e)(2)(B)(ii) is the same as the Federal Rule of Civil Procedure 12(b)(6) standard for failure to state a claim.” (1)

“The Court finds that Plaintiff has failed to state facts which “plausibly give rise to an entitlement to relief.”” (2)

FACTUAL BACKGROUND

Plaintiff, proceeding pro se, filed a largely unintelligible handwritten complaint against multiple defendants, alleging that they manipulated her academic credentials and student loans and committed academic fraud. She sought \$70 billion in damages. After her in forma pauperis application was denied with leave to renew or pay the filing fee, she did neither within the allotted time.

PROCEDURAL HISTORY

Plaintiff filed the action on January 30, 2026, seeking \$70 billion in damages. The court denied her application to proceed in forma pauperis with leave to renew or pay the filing fee; plaintiff did neither. The court screened and dismissed the complaint with prejudice, directed entry of judgment, and ordered the file closed.

DISPOSITION

dismissed

CASES CITED

- *Balistreri v. Pacifica Police Department*, 901 F.2d 696, 699 (9th Cir. 1990)

- Watison 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)

OPINION

1 FILED IN THE 2 EASTERN U.S. DISTRICT COURT OF THE DISTRICT OF WASHINGTON Apr 24, 2026 3 SEAN F. MCAVOY, CLERK 4 5 6 7 UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON 8 9 CARYL DANITA CARBY, NO. 2:26-CV-0054-TOR 10 Plaintiff, ORDER DISMISSING COMPLAINT 11 v. 12 BARRACK HUSSEIN OBAMA, et al, 13 Defendants. 14 15 BEFORE THE COURT is Plaintiff's Complaint.

ECF No. 1. The Court has 16 reviewed the record and files herein and is fully informed. For the reasons 17 discussed below, all claims asserted by Plaintiff are DISMISSED with prejudice. 18 BACKGROUND 19 Plaintiff, proceeding pro se, currently has thirteen actions pending before 20 1 this Court that have all been filed since January 2026.1 The complaints, which are 2 handwritten and largely unintelligible, are against an assortment of individuals and 3 entities including Barrack Hussein Obama, the Central Intelligence Agency, 4 Donald Trump, George Walker Bush, the Nigerian Government, and the City of 5 Spokane, to name a few.

6 Plaintiff filed this action on January 30, 2026 against the named Defendants. 7 Plaintiff seeks \$70,000,000,000.00 in damages. The Complaint appears to allege 8 that Defendants have manipulated Plaintiff's academic credentials, her student 9 loans and have committed academic fraud. 10 Plaintiff previously filed an application to proceed in forma pauperis which 11 was denied with leave to renew or pay the full filing fee within 30 days.

ECF No. 12 4. Plaintiff did not submit a renewed application or pay the full filing fee within 13 the allotted time. For this reason and the reasons discussed below, the Court 14 dismisses Plaintiff's Complaint. 15 DISCUSSION 16 Pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), "[n]otwithstanding any filing fee, 17 1 See Case Numbers 26cv26-TOR, 26cv42-TOR, 26cv54-TOR, 26cv55-TOR, 18 26cv119-TOR, 26cv121-TOR, 26cv122-TOR, 26cv142-TOR, 26cv143-TOR, 19 20 26cv159-TOR, 26cv160-TOR, 26cv162-TOR, 26cv166-TOR.

1 or any portion thereof, that may have been paid, the court shall dismiss the case at 2 any time if the court determines that the action or appeal fails to state a claim upon 3 which relief may be granted." 4 A complaint fails to state a claim upon which relief may be granted if it 5 lacks a cognizable legal theory or lacks sufficient facts to support a cognizable 6 legal theory.

Balistreri v. Pacifica Police Dept., 901 F.2d 696, 699 (9th Cir.1990). 7 Plaintiff's Complaint lacks sufficient facts to support a cognizable legal theory 8 against any of the Defendants. 9 "The standard for determining whether a plaintiff has failed to state a claim 10 upon which relief can be granted under § 1915(e)(2)(B)(ii) is the same as the 11 Federal Rule of Civil Procedure 12(b)(6) standard for failure to state a claim." 12 Watison v. Carter, 668 F.3d 1108, 1112 (9th Cir.

2012). Accordingly, "[d]ismissal 13 is proper only if it is clear that the plaintiff cannot prove any set of facts in support 14 of the claim that would entitle [her] to relief." Id. "In making this determination, 15 the Court takes as true all allegations of material fact stated in the complaint and 16 construes them in the light most favorable to the plaintiff." Id. Mere legal 17 conclusions, however, "are not entitled to the assumption of truth." Ashcroft v. 18 Iqbal, 556 U.S. 662, 679 (2009).

The complaint must contain more than "a 19 formulaic recitation of the elements of a cause of action." Bell Atl. Corp. v. 20 Twombly, 550 U.S. 544, 555 (2007). It must plead "enough facts to state a claim to 1 relief that is plausible on its face." Id. at 570.

The Court construes a pro se 2 plaintiff's pleadings liberally, affording the plaintiff the benefit of any doubt. 3 Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010) (quotations and citation 4 omitted). 5 The Court finds that Plaintiff has failed to state facts which "plausibly give 6 rise to an entitlement to relief." Iqbal, 556 U.S. at 679. 7 OPPORTUNITY TO AMEND 8 Unless it is absolutely clear that amendment would be futile, a pro se litigant 9 must be given the opportunity to amend her complaint to correct any deficiencies.

10 Noll v. Carlson, 809 F.2d 1446, 1448 (9th Cir. 1987), superseded by statute, 28 11 U.S.C. § 1915(e)(2), as recognized in Aktar v. Mesa, 698 F.3d 1202, 1212 (9th Cir. 12 2012). The Court finds that it is absolutely clear that no amendment will cure the 13 deficiencies in Plaintiff's Complaint.

Therefore, the Court dismisses Plaintiff's 14 Complaint with prejudice. 15 // 16 // 17 // 18 // 19 // 20 // ACCORDINGLY, IT IS HEREBY ORDERED: 2 Plaintiff's Complaint (ECF No. 1) is DISMISSED with prejudice. 3 The District Court Executive is directed to enter this Order and Judgment accordingly, forward copies to Plaintiff, and CLOSE the file. 5 DATED April 24, 2026. <> United States District Judge 8 9 10 11 12 13 14 15 16 17 18 19 20