

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Moon v. Carter

Moon v. Carter · No. Civil Action No. 1:26-cv-00669 (UNA) · Decided May 8, 2026

SUMMARY

The United States District Court for the District of Columbia grants the plaintiff’s application to proceed in forma pauperis but dismisses the complaint as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i). The court concludes that the allegations against a federal district judge are irrational, insubstantial, and insufficient to support subject-matter jurisdiction.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Christopher R. Cooper
JURISDICTION	United States District Court for the District of Columbia
DECIDED	May 8, 2026
DOCKET	Civil Action No. 1:26-cv-00669 (UNA)
DISPOSITION	dismissed
PROCEDURAL POSTURE	On initial review of a pro se complaint and an application to proceed in forma pauperis, the court granted the application and dismissed the complaint as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i).
STANDARD OF REVIEW	On initial review under 28 U.S.C. § 1915(e)(2)(B)(i), the court may dismiss an in forma pauperis complaint that is frivolous. A complaint is frivolous when it lacks an arguable basis in law or fact or alleges irrational, wholly incredible, or fanciful events.
PRECEDENTIAL VALUE	Published memorandum opinion; no reporter citation appears in the source.

TOPICS

- subject matter jurisdiction
- pleadings
- civil procedure
- civil rights

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether the pro se complaint was frivolous or malicious and therefore subject to dismissal under 28 U.S.C. § 1915(e)(2)(B)(i).
2. Whether allegations that were irrational, wholly incredible, and devoid of legal or factual merit deprived the court of subject matter jurisdiction.

HOLDINGS

1. A complaint may be dismissed on initial review as frivolous when it lacks an arguable basis in law or fact, alleges irrational or wholly incredible events, or is plainly abusive of the judicial process; Plaintiff's complaint met those criteria.
2. Federal courts lack power to entertain claims that are otherwise within their jurisdiction when the claims are so attenuated and unsubstantial as to be absolutely devoid of merit; Plaintiff's complaint fell within that category.

KEY QUOTATIONS

“A complaint that lacks “an arguable basis either in law or in fact” is frivolous”

“The instant complaint falls into both categories; accordingly, the court cannot exercise subject matter jurisdiction over it.”

“As here, a court shall dismiss a complaint as frivolous “when the facts alleged rise to the level of the irrational or the wholly incredible,””

FACTUAL BACKGROUND

Plaintiff sued a federal district judge, alleging that the judge participated in a criminal conspiracy involving domestic terrorism to kill, intimidate, harass, and stalk him. The complaint also contained sweeping religious proclamations and allegations that the court found irrational, wholly incredible, and abusive of the judicial process.

PROCEDURAL HISTORY

Plaintiff filed a pro se complaint against a federal district judge and applied to proceed in forma pauperis. The district court granted in forma pauperis status and, on initial review, dismissed the action as frivolous and lacking a basis for subject matter jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)

- *Neitzke v. Williams*, 490 U.S. 319, 325 (1989)
- *Crisafi v. Holland*, 655 F.2d 1305, 1307-09 (D.C. Cir. 1981)
- *Hagans v. Lavine*, 415 U.S. 528, 536-37 (1974)
- *Newburyport Water Co. v. Newburyport*, 193 U.S. 561, 579 (1904)
- *Tooley v. Napolitano*, 586 F.3d 1006, 1010 (D.C. Cir. 2009)
- *Denton v. Hernandez*, 504 U.S. 25, 33 (1992)
- *Ibrahim v. Dist. of Columbia*, Nos. 93-0002, Civ. A. 93-0060, 1993 WL 30814, at *1 (D.D.C. Jan. 29, 1993)
- *Ibrahim v. D.C. Dep't of Corrections*, No. 93-7029, 1993 WL 328110 (D.C. Cir. July 7, 1993) (per curiam)

OPINION

PER CURIAM.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA ADRIAN DAMICO MOON,)) Plaintiff,)) v.) Civil Action No. 1:26-cv-00669 (UNA)) DAVID ORMON CARTER,)) Defendant.) MEMORANDUM OPINION This matter is before the court on its initial review of Plaintiff's pro se Complaint ("Compl."), ECF No. 1, and Application for Leave to Proceed in forma pauperis, ECF No. 2.

The court grants the in forma pauperis Application, and for the reasons discussed below, dismisses this matter as frivolous. Plaintiff sues a federal district judge, raising allegations that he engaged in a "vicious, evil, and heinous" criminal conspiracy, rooted in "domestic terrorism," to "kill, intimidate, harass," and stalk him.

The remainder of his allegations consist of sweeping religious proclamations. "A complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). A complaint that lacks "an arguable basis either in law or in fact" is frivolous, *Neitzke v. Williams*, 490 U.S. 319, 325 (1989), and a "complaint plainly abusive of the judicial process is properly typed malicious," *Crisafi v. Holland*, 655 F.2d 1305, 1309 (D.C.

Cir. 1981). The instant complaint falls into both categories; accordingly, the court cannot exercise subject matter jurisdiction over it. See *Hagans v. Lavine*, 415 U.S. 528, 536-37 (1974) ("Over the years, this Court has repeatedly held that the federal courts are without power to entertain claims otherwise within their jurisdiction if they are 'so attenuated and unsubstantial as to be absolutely devoid of merit.'") (quoting *Newburyport Water Co. v. Newburyport*, 193 U.S. 561, 579 (1904)); *Tooley v. Napolitano*, 586 F.3d 1006, 1010 (D.C.

Cir. 2009) (examining cases dismissed "for patent insubstantiality," including where the plaintiff allegedly "was subjected to a campaign of surveillance and harassment."). As here, a court shall dismiss a complaint as frivolous "when the facts alleged rise to the level of the irrational or the

wholly incredible,” *Denton v. Hernandez*, 504 U.S. 25, 33 (1992), or “postulat[e] events and circumstances of a wholly fanciful kind,” *Crisafi*, 655 F.2d at 1307–08 (D.C.

Cir. 1981); see also *Ibrahim v. Dist. of Columbia*, Nos. 93–0002, Civ. A. 93–0060, 1993 WL 30814, at *1 (D.D.C. Jan. 29, 1993) (finding the plaintiff’s “assertion that... matters were decided against him because the Courts conspired” against him was frivolous where the “facts only support the notion that the Judges in... those cases diligently worked on his complaints [but] decided them against him”), appeal dismissed sub nom.

Ibrahim v. D.C. Dep’t of Corrections, No. 93-7029, 1993 WL 328110 (D.C. Cir. July 7, 1993) (per curiam) (finding no basis for appeal). For the foregoing reasons, the Complaint, ECF No. 1, and this case, are dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). A separate Order accompanies this Memorandum Opinion. DATE: May 8, 2026 /s/ CHRISTOPHER R. COOPER United States District Judge