

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Moon v. Howell

Moon · No. Civil Action No. 1:26-cv-00893 (UNA) · Decided May 8, 2026

SUMMARY

The United States District Court for the District of Columbia grants the pro se plaintiff's application to proceed in forma pauperis and dismisses the complaint as frivolous under 28 U.S.C. § 1915(e)(2)(B) (i). The court concludes that the allegations of a broad conspiracy involving a federal judge and others are rambling, incomprehensible, and devoid of an arguable basis in law or fact.

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-00893 (UNA)
DISPOSITION	dismissed
PROCEDURAL POSTURE	On initial review of a pro se complaint and an application to proceed in forma pauperis, the district court granted the application and dismissed the complaint as frivolous under 28 U.S.C. § 1915(e)(2)(B) (i).
STANDARD OF REVIEW	Initial screening under 28 U.S.C. § 1915(e)(2)(B)(i), including dismissal of complaints that are frivolous or malicious.
PRECEDENTIAL VALUE	Published district court memorandum opinion; no reporter citation appears in the source.
PARTIES	Adrian Damico Moon v. Beryl Alaine Howell

TOPICS

- subject matter jurisdiction
- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether the complaint should be dismissed on initial review under 28 U.S.C. § 1915(e)(2)(B)(i) as frivolous or malicious.
2. Whether allegations that are irrational, wholly incredible, fanciful, or plainly abusive of the judicial process are sufficiently substantial to invoke federal subject matter jurisdiction.

HOLDINGS

1. A complaint must be dismissed as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i) when its allegations lack an arguable basis in law or fact, rise to the level of the irrational or wholly incredible, or postulate wholly fanciful events; a complaint plainly abusive of the judicial process may also be dismissed as malicious.
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.
3. A complaint must contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its face.

KEY QUOTATIONS

“A complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’”

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

“a “complaint plainly abusive of the judicial process is properly typed malicious,””

“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.’”

“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 alleged that the defendant, a federal judge, and numerous others had orchestrated a conspiracy to dismiss his cases, ignore his submissions, deny his requests to intervene in other cases, and commit crimes including domestic terrorism and stalking. He also alleged that these actions caused him to fear for his safety. The court characterized the complaint as rambling, largely incomprehensible, frivolous, and abusive of the judicial process.

PROCEDURAL HISTORY

Plaintiff filed a pro se complaint against a federal judge and an application to proceed in forma pauperis. The court granted in forma pauperis status, conducted its initial review, and dismissed the action as frivolous and malicious because the allegations were rambling, largely incomprehensible, irrational, and abusive of the judicial process.

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

Moon v. Howell

PER CURIAM.

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

ADRIAN DAMICO MOON,)

) Plaintiff,)) v.) Civil Action No. 1:26-cv-00893 (UNA))

BERYL ALAINE HOWELL,)

) Defendant.)

MEMORANDUM OPINION

This matter is before the court on its initial review of Plaintiff's pro se Complaint, 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's Complaint is rambling and largely incomprehensible. He sues a single Defendant, a federal judge of this District, alleging that she and many others, including other judges, have orchestrated an "evil, vicious, heinous" conspiracy to dismiss his cases, ignore his submissions, deny his requests to intervene in other cases, and that they have committed many crimes and other misdeeds, including, but not limited to, domestic terrorism and stalking, and other actions that have caused him to fear for his safety. "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