

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
NORTH CAROLINA, CHARLOTTE DIVISION

Victora Mobley v. Central Intelligence Agency

Mobley · No. 3:26-CV-00284-KDB-WCM · Decided May 4, 2026

SUMMARY

The United States District Court for the Western District of North Carolina conditionally granted Plaintiff Victora Mobley’s motion to proceed in forma pauperis for purposes of initial review. The court dismissed the complaint without prejudice under 28 U.S.C. § 1915(e)(2), finding that its allegations against the Central Intelligence Agency failed the frivolity review.

CASE DETAILS

COURT	United States District Court for the Western District of North Carolina, Charlotte Division
WRITING FOR THE COURT	Kenneth D. Bell
JURISDICTION	United States District Court for the Western District of North Carolina, Charlotte Division
DECIDED	May 4, 2026
DOCKET	3:26-CV-00284-KDB-WCM
DISPOSITION	dismissed
PROCEDURAL POSTURE	The court conducted an initial screening review of a pro se complaint filed by a plaintiff seeking to proceed in forma pauperis.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court must screen an in forma pauperis complaint and dismiss it if it is frivolous or malicious or fails to state a claim on which relief may be granted. A frivolous complaint raises an indisputably meritless legal theory or rests on clearly baseless factual contentions. Pro se pleadings are construed liberally, but liberal construction does not permit the court to disregard a clear failure to allege facts supporting a cognizable federal claim.
PRECEDENTIAL VALUE	Unpublished district court memorandum and order; precedential status is not identified in the opinion.
PARTIES	Victora Mobley v. Central Intelligence Agency

TOPICS

civil procedure

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated sufficient financial indigence to proceed in forma pauperis for purposes of initial review.
2. Whether the complaint was subject to dismissal under 28 U.S.C. § 1915(e)(2) because it failed frivolity review and did not state a cognizable federal claim.

HOLDINGS

1. The court conditionally granted Plaintiff's in forma pauperis motion for the limited purpose of conducting the initial review.
2. The complaint was dismissed without prejudice because it failed the frivolity review required by 28 U.S.C. § 1915(e)(2).

KEY QUOTATIONS

“In its frivolity review, this Court must determine whether the Complaint raises an indisputably meritless legal theory or is founded upon clearly baseless factual contentions, such as fantastic or delusional scenarios.”

“With all due respect to Plaintiff, the Court finds that Plaintiff’s Complaint fails a frivolity review and must be dismissed because of the nature of the Plaintiff’s allegations and the absence of corroborating evidence.”

FACTUAL BACKGROUND

Plaintiff alleged that the Central Intelligence Agency violated various federal regulations and made a series of extraordinary allegations, including killing at least two people, harassing her at numerous locations, and placing a snake in her residence. The complaint did not explain why the agency allegedly engaged in this conduct and did not provide corroborating evidence.

PROCEDURAL HISTORY

Plaintiff filed a complaint against the Central Intelligence Agency and moved to proceed in forma pauperis. The court conditionally granted in forma pauperis status for purposes of the order, screened the complaint under 28 U.S.C. § 1915(e)(2), dismissed the complaint without prejudice, and directed the clerk to close the matter.

DISPOSITION

dismissed

CASES CITED

- Neitzke v. Williams, 490 U.S. 319, 325 (1989)
- Adkins v. E.I. DuPont de Nemours & Co., 335 U.S. 331, 342-43 (1948)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Weller v. Department of Social Services, 901 F.2d 387 (4th Cir. 1990)

OPINION

Mobley

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF NORTH CAROLINA

CHARLOTTE DIVISION

CIVIL ACTION NO. 3:26-CV-00284-KDB-WCM

VICTORA MOBLEY,

Plaintiff,

v. MEMORANDUM AND ORDER

CENTRAL INTELLIGENCE

AGENCY,

Defendant. THIS MATTER is before the Court on Plaintiff's Motion to Proceed In Forma Pauperis ("IFP") (Doc. No. 2). For the reasons discussed below, the Court will GRANT the Motion for the limited purpose of conducting an initial review but DISMISS Plaintiff's Complaint without prejudice after conducting that review. I. Plaintiff's Motion to Proceed IFP "The federal in forma pauperis statute, enacted in 1892 and presently codified as 28 U.S.C. § 1915, is designed to ensure that indigent litigants have meaningful access to the federal courts." *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (quoting *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 342-43 (1948)). To achieve its goal, the IFP statute "allows a litigant to commence a civil or criminal action in federal court in forma pauperis by filing in good faith an affidavit stating ... that he is unable to pay the costs of a lawsuit." *Id.* In her IFP motion, Plaintiff states that she currently has no job, little income and no expenses. She also does not list any assets. While the affidavit lacks information that the Court would expect in a comprehensive financial affidavit, it appears likely that Plaintiff's expenses exceed her income, and the Court finds that she does not have assets that would allow her to pay for these proceedings. See Doc. No. 2. Based on these representations, the Court will conditionally grant the motion and permit Plaintiff to proceed IFP solely for the limited purposes of this initial review. II. Initial Review Because Plaintiff is proceeding IFP, the Court must review the Complaint to determine whether it is subject to dismissal on the grounds that it is "frivolous or malicious [or] fails to state a claim on which relief may be granted." 28 U.S.C. § 1915(e)(2). In its frivolity review, this Court must determine whether the Complaint raises an indisputably meritless legal theory or is founded upon clearly baseless factual contentions, such as

fantastic or delusional scenarios. *Neitzke*, 490 U.S. at 327-28. Furthermore, a pro se complaint must be construed liberally. *Haines v. Kerner*, 404 U.S. 519, 520 (1972). However, the liberal construction requirement will not permit a district court to ignore a clear failure to allege facts in the Complaint which set forth a claim that is cognizable under federal law. *Weller v. Dep't of Soc. Servs.*, 901 F.2d 387 (4th Cir. 1990). Here, Plaintiff has sued the Central Intelligence Agency for violating various federal regulations. Specifically, Plaintiff asserts a lengthy list of incredible claims involving killing at least two people, harassing Plaintiff at numerous locations, placing a snake in her residence, etc., all without any explanation as to why the Agency has allegedly done all this to her. See Doc. No.

1. With all due respect to Plaintiff, the Court finds that Plaintiff's Complaint fails a frivolity review and must be dismissed because of the nature of the Plaintiff's allegations and the absence of corroborating evidence. NOW THEREFORE IT IS ORDERED THAT:

1. Plaintiff's IFP motion (Doc. No. 2) is GRANTED for purposes of this Order;
2. Plaintiff's Complaint is DISMISSED without prejudice; and
3. The Clerk is directed to close this matter in accordance with this Order.

SO ORDERED ADJUDGED AND DECREED. Signed: May 1, 2026 Kenneth D. Bell Vy, United States District Judge \ i