

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI

Clint Phillips, III v. United States

Phillips · No. No. 4:25-cv-01758-JMD · Decided May 13, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri grants Clint Phillips III leave to proceed in forma pauperis but denies his request to pay the filing fee in installments. The court dismisses his tort-based complaint against the United States as frivolous under 28 U.S.C. § 1915(e)(2)(B)(i), finding that the allegations lack an arguable basis in law or fact. The court also denies the remaining motions as moot and certifies that an appeal would not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri
JURISDICTION	United States District Court for the Eastern District of Missouri
DECIDED	May 13, 2026
DOCKET	No. 4:25-cv-01758-JMD
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff filed tort and constitutional claims against the United States, moved to proceed in forma pauperis, sought to pay the filing fee in installments, and filed motions for appointed counsel and summary judgment. The district court screened the complaint under 28 U.S.C. § 1915(e)(2)(B)(i).
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B)(i), the court must dismiss an in forma pauperis action that is frivolous. A complaint is frivolous when it lacks an arguable basis in law or fact, including when its factual allegations are clearly baseless, fantastic, or delusional.
PRECEDENTIAL VALUE	unpublished
PARTIES	Clint Phillips, III v. United States

TOPICS

- civil procedure
- motions to dismiss
- summary judgment
- injunctions

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint was frivolous and subject to dismissal under 28 U.S.C. § 1915(e)(2)(B)(i).
2. Whether Phillips should be granted leave to proceed in forma pauperis and permitted to pay the filing fee in installments.
3. Whether Phillips's motions for appointed counsel and summary judgment should be denied as moot after dismissal.
4. Whether the court should certify that an appeal from the dismissal would not be taken in good faith.

HOLDINGS

1. The complaint was frivolous because it presented no viable legal theory and its factual allegations lacked any arguable basis in law or fact and were clearly baseless.
2. Phillips was granted leave to proceed in forma pauperis because the court found that he could not afford the filing fee.
3. The request to pay the filing fee in partial payments or installments was denied.
4. The court certified that an appeal from the dismissal would not be taken in good faith.

KEY QUOTATIONS

“A complaint is frivolous when it “lacks an arguable basis either in law or in fact.””

“The term “frivolous” encompasses “not only the inarguable legal conclusion, but also the fanciful factual allegation.””

“those claims whose factual contentions are clearly baseless”

“thoroughly convinced that there is no substantial question for review and that an appeal would be futile.”

FACTUAL BACKGROUND

Phillips sued the United States based on asserted claims including false arrest, false imprisonment, malicious prosecution, libel, slander, tortious interference with contract, and alleged Fourth and Fourteenth Amendment violations. His complaint alleged that imposters were impersonating him and others at government facilities and military bases, and sought \$500 million and injunctive relief concerning alleged conspiracies involving government entities and other persons.

PROCEDURAL HISTORY

Phillips filed a complaint against the United States along with an application to proceed in forma pauperis and several motions. The court granted leave to proceed in forma pauperis, denied the request to pay the filing fee in installments, dismissed the complaint as frivolous, denied the remaining motions as moot, and certified that an appeal would not be taken in good faith.

DISPOSITION

dismissed

CASES CITED

- Neitzke v. Williams, 490 U.S. 319 (1989)
- Denton v. Hernandez, 504 U.S. 25 (1992)
- Higgins v. Steele, 195 F.2d 366 (8th Cir. 1952)

OPINION

Phillips

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MISSOURI

EASTERN DIVISION

CLINT PHILLIPS, III,)

) Plaintiff,)) v.) No. 4:25-cv-01758-JMD)

UNITED STATES,)

) Defendant.)

MEMORANDUM AND ORDER

Plaintiff Clint Phillips, III, a frequent pro se and in forma pauperis litigator in this Court, has filed a Complaint against the United States, ECF 1, an Application for leave to proceed in forma pauperis, ECF 2, and a Motion requesting leave to pay the filing fee “in partial payments,” ECF 6. The Court has reviewed Plaintiff’s Application and finds that he is unable to afford the \$405 filing fee. The Court will therefore grant Plaintiff leave to proceed in forma pauperis. The Court has reviewed Plaintiff’s Motion requesting leave to pay the filing fee over time, and finds no basis to grant the requested relief. The Court will therefore deny the Motion. Finally, having reviewed Plaintiff’s Complaint, the Court will dismiss this case and deny Plaintiff’s remaining Motions, ECF 3 and 5, as moot. Background Plaintiff states he brings various tort claims against the United States, including false arrest, false imprisonment, malicious prosecution, libel, slander, tortious interference with a contract, and “a continuum of impersonation, sub[or]nation of perjury and multiple 4th and 14th Amd violations.” ECF 1 at 3. In support, Plaintiff asserts factual allegations that do not appear to be grounded in reality. For example, Plaintiff alleges that he and “others are being impersonated by multiple imposters” at government facilities and military bases through the use of fraudulent identifications. *Id.* at 5. Plaintiff alleges that “Tangos” accessed a military base through veterans’ wives “who are being extorted and sextorted by clubhoppers who are using my daughters SSA & VA benefits to sell drugs and hop from club to club.” *Id.* Plaintiff alleges that “[a] bunch of harlots males, and females” are impersonating him and “manipulating my wife and

daughter for my property and monies, including her adopters who had evil intentions to use her for it.” Id. Plaintiff also alleges that governmental entities are “in subornation of impersonation, perjury and committing tortious interference with contracts, as well as a mutual understanding and meeting of the mind between the VA offices, the City of Bellefontaine, [illegible].” Id. As relief, Plaintiff seeks \$500 million along with “Injunctive Relief.” Id. Plaintiff describes the injunctive relief as termination of “all imposters being hired @ the St. Louis VA under my own name,” and termination of the “conspiracy between the VA and multiple cities and counties via their inmates, and police officers” Id. Discussion This Court must screen complaints filed in forma pauperis, and must dismiss any action that is frivolous, among other grounds. 28 U.S.C. § 1915(e)(2)(B)(i). A complaint is frivolous when it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325

(1989). The term “frivolous” encompasses “not only the inarguable legal conclusion, but also the fanciful factual allegation.” Id. Accordingly, the Court may dismiss “those claims whose factual contentions are clearly baseless,” id. at 327, including those allegations that are “fantastic” or “delusional.” *Denton v. Hernandez*, 504 U.S. 25, 33 (1992) (quoting *Neitzke*, 490 U.S. at 328). Although “[a]n in forma pauperis complaint may not be dismissed . . . simply because the [C]ourt finds the plaintiff’s allegations unlikely,” “a finding of factual frivolousness is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible, The Court has thoroughly reviewed and liberally construed the Complaint and finds that it is frivolous. Plaintiff purports to sue the United States, but he presents no viable legal theory and his factual allegations lack any arguable basis in law or in fact and are “clearly baseless.” *Neitzke*, 490 U.S. at 327. Plaintiff also includes a prayer for relief that is not grounded in any stated or apparent legal authority. For these reasons, the Court deems the Complaint frivolous and will dismiss this case. See 28 U.S.C. § 1915(e)(2)(B)(i). Because the Court is dismissing this case, the Court will deny as moot Plaintiff’s motion seeking appointed counsel, ECF 3, and his motion for summary judgment, ECF 5. For the same reasons the Court deems the Complaint frivolous, the Court is “thoroughly convinced that there is no substantial question for review and that an appeal would be futile.” *Higgins v. Steele*, 195 F.2d 366, 369 (8th Cir. 1952). The Court therefore certifies that an appeal from this dismissal would not be taken in good faith. See id.; 28 U.S.C. § 1915(a)(3). Accordingly, IT IS HEREBY ORDERED that Plaintiffs motion for leave to proceed in forma pauperis, ECF 2, is GRANTED. IT IS FURTHER ORDERED that Plaintiff’s motion for leave to pay the filing fee in installments, ECF 6, is DENIED. IT IS FURTHER ORDERED that Plaintiff’s remaining motions, ECF 3, ECF 5, are DENIED as moot. IT IS FURTHER ORDERED that this case is DISMISSED. A separate order of dismissal will be entered with this Memorandum and Order. IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith. Dated this 13th day of May, 2026 Jy TS -

UNITED STATES DISTRICT JUDGE

FOR THE EASTERN AND WESTERN
DISTRICTS OF MISSOURI

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