

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
MISSOURI, EASTERN DIVISION

Gonzalez v. Basu

Gonzalez v. Basu · No. No. 4:26-cv-00598 RHH · Decided April 24, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri denied Natalie Gonzalez’s application to proceed in forma pauperis and dismissed her complaint under 28 U.S.C. § 1915(e)(2) (B). The court determined that the complaint failed to state a claim and was frivolous and malicious because it consisted of bare allegations and was filed nearly identically in numerous federal courts.

CASE DETAILS

|                    |                                                                                                                                                                                                                                   |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Eastern District of Missouri, Eastern Division                                                                                                                                               |
| JURISDICTION       | United States District Court for the Eastern District of Missouri, Eastern Division                                                                                                                                               |
| DECIDED            | April 24, 2026                                                                                                                                                                                                                    |
| DOCKET             | No. 4:26-cv-00598 RHH                                                                                                                                                                                                             |
| DISPOSITION        | dismissed                                                                                                                                                                                                                         |
| PROCEDURAL POSTURE | Plaintiff, proceeding pro se, applied to proceed in forma pauperis. The district court screened the complaint under 28 U.S.C. § 1915(e)(2)(B), denied the application, and dismissed the complaint as frivolous and malicious.    |
| STANDARD OF REVIEW | The court liberally construed the pro se complaint and applied the pleading standard requiring sufficient factual matter to state a claim that is plausible on its face. The complaint was screened under 28 U.S.C. § 1915(e)(2). |
| PRECEDENTIAL VALUE | Unknown; district court opinion with no reported citation appearing in the source.                                                                                                                                                |
| PARTIES            | Natalie Gonzalez v. Shantonu Basu                                                                                                                                                                                                 |

TOPICS

- pleadings
- motions to dismiss
- civil procedure

## PRACTICE AREAS

Civil procedure

Federal courts

In forma pauperis proceedings

## QUESTIONS PRESENTED

1. Whether the complaint stated a claim for relief under the applicable pleading standard.
2. Whether the complaint was frivolous and malicious within the meaning of 28 U.S.C. § 1915(e)(2)(B).
3. Whether Gonzalez's application to proceed in forma pauperis should be denied.

## HOLDINGS

1. The complaint failed to state a claim because it contained only conclusory allegations, lacked factual context, and did not provide sufficient factual matter to make a claim plausible on its face.
2. The complaint was malicious because its filing as the same bare complaint against the same defendant in numerous federal courts within a few days demonstrated an intent to harass the defendant, the court, or both.
3. The application to proceed in forma pauperis was denied because the complaint was subject to dismissal under 28 U.S.C. § 1915(e)(2)(B).

## KEY QUOTATIONS

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

“Certainly, where a Plaintiff, like in this action, files the same Complaint with the same two allegations – just the barest possible sentences – in a plethora of courts within just days of each other, that Plaintiff intends to harass either the Defendant, the Court, or both.”

## FACTUAL BACKGROUND

Gonzalez's complaint contained two substantive allegations: that Basu engaged in ex parte communication and that Gonzalez sought \$100,000. The complaint provided no factual context, did not explain the parties' identities or the basis for filing in the Eastern District of Missouri, and stated only why it purportedly complied with Federal Rule of Civil Procedure 11. The same two-allegation complaint was filed against Basu in numerous federal courts across the country within a few days.

## PROCEDURAL HISTORY

Gonzalez filed a complaint alleging only that Basu engaged in ex parte communication and demanding \$100,000, together with an application to proceed without prepaying fees and costs. The court reviewed the complaint under the mandatory in forma pauperis screening statute, concluded that it failed to state a plausible claim and was part of a pattern of duplicative filings in numerous federal courts, and dismissed the action.

## DISPOSITION

dismissed

#### CASES CITED

- Neitzke v. Williams, 490 U.S. 319, 324 (1989)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Swanson v. Citibank, N.A., 614 F.3d 400, 404 (7th Cir. 2010)
- Martin v. Aubuchon, 623 F.2d 1282, 1286 (8th Cir. 1980)
- Stone v. Harry, 364 F.3d 912, 914-15 (8th Cir. 2004)
- Lindell v. McCallum, 352 F.3d 1107, 1109 (7th Cir. 2003)
- Horsey v. Asher, 741 F.2d 209, 212-13 (8th Cir. 1984)
- Carter v. Schafer, 273 Fed. Appx. 581 (8th Cir. 2008)
- Cooper v. Wood, 111 F.3d 135 (8th Cir. 1997)

#### OPINION

Gonzalez

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MISSOURI

EASTERN DIVISION

NATALIE GONZALEZ, )

) Plaintiff, ) ) v. ) No. 4:26-cv-00598 RHH )

SHANTONU BASU, )

) Defendant. )

OPINION, MEMORANDUM AND ORDER

Before the Court is self-represented Plaintiff Natalie Gonzalez' Application to Proceed in District Court Without Prepayment of Fees and Costs. [ECF No. 2]. For the reasons set forth below, Plaintiff's Application will be denied, and her Complaint will be dismissed as frivolous and malicious pursuant to 28 U.S.C. § 1915(e)(2)(B). "The federal in forma pauperis statute, [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, 324 (1989) (*italics added*). Section 1915(e) directs a court to screen a complaint when filed together with a request to proceed in forma pauperis. A court shall dismiss a case at any time if: 1) the allegation of poverty is untrue; 2) the action is frivolous or malicious; 3) the action fails to state a claim on which relief may be granted; or 4) the action seeks monetary relief against an immune defendant. 28 U.S.C. § 1915(e)(2). Here, the Plaintiff alleges in her Complaint:

1. Defendant engaged in ex parte communication.

2. Plaintiff demands \$100,000.

[ECF No. 1 at 1]. The Plaintiff then states why her Complaint complies with the requirements of Federal Rule of Civil Procedure 11. *Id.* That is the entirety of the Complaint. Even construing Plaintiff's Complaint liberally, as the Court must, given her pro se status, the Plaintiff's allegations fail to state a claim. See *Erickson v. Pardus*, 551 U.S. 89, 94

(2007) (providing that a pro se complaint "must be held to less stringent standards than formal pleadings drafted by lawyers[]"). 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 Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). A plaintiff "must give enough details about the subject-matter of the case to present a story that holds together." *Swanson v. Citibank, N.A.*, 614 F.3d 400, 404 (7th Cir. 2010); see also *Martin v. Aubuchon*, 623 F.2d 1282, 1286 (8th Cir. 1980); *Stone v. Harry*, 364 F.3d 912, 914-15 (8th Cir. 2004) (refusing to supply additional facts or to construct a legal theory for the self-represented plaintiff). Here, the Plaintiff does not provide factual information in her Complaint designating who the parties are or the reasons for filing the matter in the United States District Court for the Eastern District of Missouri. Additionally, Plaintiff fails to provide any context for her allegations. Furthermore, this same Complaint brought by Natalie Gonzalez against Defendant Shantonu Basu has been filed in numerous federal courts around the country during the past 30 days, including in Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Kentucky, Massachusetts, Maryland, Missouri, Mississippi, North Carolina, Nebraska, New Mexico, Nevada, Ohio, Oklahoma, Tennessee, Texas, Washington and Wisconsin.<sup>1</sup> The cases were all filed between April 20, 2026 and April 22, 2026. The Plaintiff's mailing address on her return 1 See PACER, the federal courts' electronic records system. envelope for her Complaint is Charleston, South Carolina, but it does not appear that Plaintiff has filed an action in a District Court in South Carolina.

## DISCUSSION

An action is "malicious" in the context of § 1915(e)(2)(B)(i) where it is "intended to harass." *Lindell v. McCallum*, 352 F.3d 1107, 1109 (7th Cir. 2003). Dismissal based on maliciousness is appropriate where the plaintiff knows the allegations to be false, or where the complaint is "plainly part of a longstanding pattern of abusive and repetitious lawsuits." *Horsey v. Asher*, 741 F.2d 209, 212-13 (8th Cir. 1984). See also *Carter v. Schafer*, 273 Fed. Appx. 581 (8th Cir. 2008) (affirming district court dismissal for maliciousness where non-prisoner plaintiff "filed at least thirty separate complaints" in a five-year period, with a number of those cases raising "issues that are the same as or are substantially similar to those in the instant case, against the same defendants"); and *Cooper v. Wood*, 111 F.3d 135 (8th Cir. 1997) (unpublished opinion) (explaining that the Eighth Circuit has "interpreted 'malicious' to apply to situations where the plaintiff knows the allegations to be false...where the complaint is plainly part of a longstanding pattern of abusive and repetitious lawsuits...and where the complaint contains disrespectful references or abusive language").

Certainly, where a Plaintiff, like in this action, files the same Complaint with the same two allegations – just the barest possible sentences – in a plethora of courts within just days of each other, that Plaintiff intends to harass either the Defendant, the Court, or both. For this reason, the Court will dismiss this action, as frivolous and malicious pursuant to 28 U.S.C. § 1915(e)(2)(B). Accordingly, IT IS HEREBY ORDERED that Plaintiff's Application to Proceed in District Court Without Prepaying Fees and Costs [ECF No. 2] is DENIED. IT IS FURTHER ORDERED that Plaintiff's Complaint is DISMISSED as frivolous and malicious pursuant to 28 U.S.C. § 1915(e)(2)(B). Dated this 24 day of April 2026.

UNITED STATES DISTRICT JUDGE