

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Moon v. Barger-Leibrich

Moon · No. 1:26-cv-00777 (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 rambling allegations of an expansive criminal conspiracy are irrational, wholly incredible, 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	1:26-cv-00777 (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 evaluates whether the complaint is frivolous. A complaint must contain sufficient factual matter, accepted as true, to state a claim that is plausible on its face; a complaint is frivolous when it lacks an arguable basis in law or fact or alleges irrational, wholly incredible, or wholly fanciful events.
PRECEDENTIAL VALUE	Published district court memorandum opinion; persuasive authority within the jurisdiction, subject to applicable local rules.

TOPICS

- subject matter jurisdiction
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the pro se complaint was frivolous and subject to dismissal under 28 U.S.C. § 1915(e)(2)(B)(i).
2. Whether the complaint's irrational, wholly incredible, and legally or factually insubstantial allegations deprived the court of subject matter jurisdiction.

HOLDINGS

1. A complaint must be dismissed as frivolous when it lacks an arguable basis in law or fact or alleges irrational, wholly incredible, or wholly fanciful events. Plaintiff's complaint fell within those categories and was dismissed.
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; the complaint therefore could not support the exercise of subject matter jurisdiction.
3. A complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face; this complaint did not satisfy that standard.

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"

"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.'"

"when the facts alleged rise to the level of the irrational or the wholly incredible"

FACTUAL BACKGROUND

Plaintiff Adrian Damico Moon sued Katheryn Ann Barger-Leibrich, alleging that she and numerous others, including judges and a spiritual being, engaged in an evil criminal conspiracy to dismiss his federal lawsuits and deny him opportunities to intervene in other federal cases. The complaint also alleged domestic terrorism, other crimes, and conduct causing plaintiff to fear for his safety. The pleading was described as rambling, largely incomprehensible, and consisting in substantial part of sweeping religious proclamations.

PROCEDURAL HISTORY

Plaintiff filed a pro se complaint alleging that the defendant and numerous other persons and entities, including judges and a spiritual being, participated in criminal conspiracies and other wrongdoing against him. The district court conducted its initial review, granted leave to proceed in forma pauperis, and dismissed the action as frivolous without further proceedings.

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-00777 (UNA)) KATHERYN ANN BARGER-LEIBRICH,)) 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, alleging that she, and many others—including judges and “Satan, a spiritual being, a.k.a ‘Lucifer da fallen loser’”—have engaged in an “evil, vicious, heinous” criminal conspiracy against him to dismiss his federal lawsuits and to deny him the opportunity to intervene in other federal cases, and have also allegedly committed myriad other crimes and wrongdoing, including, but not limited to, “domestic terrorism,” and other nefarious actions that cause him to fear for his safety.

The remainder of the pleading consists 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 all of 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