



MIKENAS v. MIKENAS

2023 | Cited 0 times | District of Columbia | April 19, 2023

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA TARA MIKENAS,)

Plaintiff,) Civil Action No. 1:23-cv-00960 (UNA) v.) LENO MIKENAS,)

Defendant.)

MEMORANDUM OPINION This matter is before the Court on its initial review of plaintiff application for leave to proceed in forma pauperis, ECF No. 2, and pro se complaint, ECF No. 1. The Court will grant the application and dismiss the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), by which the Court is required to dismiss a that the action is frivolous. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell*

Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)). A complaint that is frivolous, *Neitzke v. Williams*, 490 U.S. 319, 325 (1989), and the Court

cannot exercise subject matter jurisdiction over a frivolous complaint, *Hagans v. Lavine*, 415 U.S. 528, 536- and unsubstant) (quoting *Newburyport Water Co. v.*

Newburyport, 193 U.S. 561, 579 (1904)); *Tooley v. Napolitano*, 586 F.3d 1006, 1010 (D.C. Cir. tiff origins. Consequently, a Court is obligated to when the facts alleged rise to the level of the irratt *Denton v. Hernandez*, 504 U.S. 25, 33 (1992) *Crisafi v. Holland*, 655 F.2d 1305, 1307-08 (D.C. Cir. 1981). The instant complaint satisfies this

standard. According to plaintiff, defendant has collected over \$1 million

Id Id. Given its irrational and fanciful allegations, this complaint is frivolous on

its face and, therefore, it will be dismissed without prejudice. An Order is issued separately. /s/
TANYA S. CHUTKAN DATE: April 19, 2023 United States District Judge

