

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SHERRY WASHINGTON,

Plaintiff,

v.

ANY OR ALL PUBLIC, STATE OF  
WILMINGTON, DELAWARE,

Defendant.

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

: Civ. No. 12-1172-RGA

---

Sherry Washington, Wilmington, Delaware, Pro Se Plaintiff.

**MEMORANDUM OPINION**

October 26, 2012  
Wilmington, Delaware

  
ANDREWS, U.S. District Judge:

Plaintiff Sherry Washington appears pro se and has been granted leave to proceed in forma pauperis. She filed a complaint (D.I. 3) alleging discrimination for the past 49 to 62 years.

This Court must dismiss certain *in forma pauperis* actions that are frivolous, malicious, or fail to state a claim. See 28 U.S.C. § 1915(e)(2). The Court must accept all factual allegations in a complaint as true and take them in the light most favorable to a pro se plaintiff. See *Phillips v. County of Allegheny*, 515 F.3d 224, 229 (3d Cir. 2008). An action is frivolous if it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). Under 28 U.S.C. § 1915(e)(2)(B)(i), a court may dismiss a complaint as frivolous if it is “based on an indisputably meritless legal theory” or a “clearly baseless” or “fantastic or delusional” factual scenario. *Neitzke*, 490 U.S. at 327-28. Because Plaintiff proceeds *pro se*, the pleading is liberally construed and the Complaint, “however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.” *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (internal quotation marks omitted).

The instant Complaint contains nonsensical and delusional allegations about the C.I.A., Secret Service, the Fed’s and other entities engaged in a litany of discriminatory acts including, but not limited to, “incarnation, incarnivious [sic], impersonation, misrepresentations, posterations [sic], oncology, taxi, necrology. . . .” (D.I. 3, ¶ 9.) After review, the Court finds that the Complaint is frivolous under *Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992) (allegations are frivolous if they are “fanciful,” “delusional,” or “fantastic”).

For the above reasons, the Court will dismiss the Complaint as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B). Amendment is futile. Plaintiff is advised that the filing of further frivolous actions will result in the imposition of more serious sanctions than dismissal.

An appropriate order will be entered.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SHERRY WASHINGTON,

Plaintiff,

v.

ANY OR ALL PUBLIC, STATE OF  
WILMINGTON, DELAWARE,

Defendant.

:  
:  
:  
: Civ. No. 12-1172-RGA  
:  
:  
:


---

ORDER

At Wilmington this 26<sup>th</sup> day of October, 2012, consistent with the Memorandum

Opinion issued this date, IT IS HEREBY ORDERED that:

1. The Complaint is DISMISSED as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). Amendment is futile.
2. The Clerk of Court is directed to CLOSE the case.

  
UNITED STATES DISTRICT JUDGE