

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

STANTON T. JOLLEY,	:
Plaintiff,	:
	:
-vs-	: Civ. No. 3:04cv210(PCD)
	:
PRESIDENT GEORGE W. BUSH,	:
Defendant.	:

ORDER DISMISSING COMPLAINT

Plaintiff was granted leave to proceed *in forma pauperis*. He has filed a complaint against President George W. Bush alleging intentional violation of his Civil and Constitutional rights, seeking nine hundred trillion dollars (\$900,000,000,000,000) for restitution. He vaguely alleges that Defendant “displayed Pro Death, Malicious intent to commit injury, Intent to commit injury, Abuse of Power, Threatening, Coercion, Racism, Bias and Mental anguish.” Construing his *pro se* complaint liberally, *see Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S. Ct. 594, 30 L. Ed. 2d 652 (1972), he also apparently alleges a violation of the Equal Protection Clause of the Fourteenth Amendment. He alleges that his claim “relies on [s]upported facts that are documented by the Secret Service.”

Construing Plaintiff’s complaint under the liberal standard afforded *pro se* submissions, *see Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S. Ct. 594, 30 L. Ed. 2d 652 (1972), no cognizable claim against Defendant can be identified and the complaint is dismissed *sua sponte*. “A district court must dismiss an *in forma pauperis* action if the action is ‘frivolous or malicious.’” *Livingston v. Adirondack Beverage Co.*, 141 F.3d 434, 437 (2d Cir. 1998) (*citing* 28 U.S.C. § 1915(e)(2)(B)(I)). “An action is ‘frivolous’ when either: (1) the factual contentions are clearly baseless, such as when allegations are

the product of delusion or fantasy; or (2) the claim is based on an indisputably meritless legal theory. . . . A claim is based on an ‘indisputably meritless legal theory’ when either the claim lacks an arguable basis in law . . . or a dispositive defense clearly exists on the face of the complaint.” *Livingston*, 141 F. 3d at 437 (citations omitted; internal quotation marks omitted).

Plaintiff’s complaint is found to be frivolous because he does not allege any specific acts committed by Defendant, President George W. Bush. Moreover, to any extent Plaintiff sues the President for his official acts, the President of the United States “is entitled to absolute immunity from damages liability predicated on his official acts.” *Nixon v. Fitzgerald*, 457 U.S. 731, 749, 102 S. Ct. 2690, 73 L. Ed. 2d 349 (1982). An alternative basis for dismissal is Plaintiff’s violation of an Order of the Connecticut Superior Court, whereby he was grieved for having engaged in the unauthorized practice of law, in violation of CONN. GEN. STAT. §§ 51-88(a)(4)-(7). *See Statewide Griev. Comm. v. Jolley*, No. CV72020, 2000 Conn. Super. LEXIS 2958, at *1 (Nov. 13, 2000).¹

Plaintiff’s complaint is hereby **dismissed**. He is granted leave to file an amended complaint on or before March 10, 2004.

¹ In an unpublished opinion, the Connecticut Superior Court ordered that

1. The respondent, Stanton Jolley is hereby restrained and prohibited from engaging in the unauthorized practice of law.
2. The respondent, Stanton Jolley is hereby restrained and prohibited from presenting himself or representing himself to be an “officer of the court.”
3. The respondent, Stanton Jolley is hereby restrained and prohibited from using the name “Legal Services, Inc.” for the purposes of engaging in the unauthorized practice of law.

Jolley, 2000 Conn. Super. LEXIS 2958, at *1. Plaintiff’s present complaint is written on letterhead representing himself as being affiliated with “Legal SerVice, inc., A NON-PROFIT ORGANIZATION.” Under his signature, he represents himself as being an “Officer of the Court.” The documentation provided in his Motion for Leave to Proceed *In Forma Pauperis* does not reflect that he holds a law degree.

SO ORDERED.

Dated at New Haven, Connecticut, February ____, 2004.

Peter C. Dorsey
United States District Judge