

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HARRY SUR GREEN III &)
CYNTHIA SUR GREEN III,)
)
Plaintiffs,)
)
v.)
)
STATE OF GEORGIA et al.,)
)
Defendants.)
)

MEMORANDUM OPINION

Plaintiffs Harry Sur Green iii and Cynthia Sur Green iii bring this action against the State of Georgia, the Dooly County Sheriff's Office, the Dooly County Detention Center, and a variety of individuals associated with the Sheriff's Office or the "Southern Trails RV Park." *See* Compl., ECF No. 1. For the reasons stated below, the court dismisses the Complaint and this action *sua sponte*.

It is well-settled that "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, wholly insubstantial, [or] obviously frivolous." *Hagans v. Lavine*, 415 U.S. 528, 536–37 (1974) (cleaned up). A complaint will be dismissed pursuant to Federal Rule of Civil Procedure 12(b)(1) when it is "'patently insubstantial,' presenting no federal question suitable for decision." *Best v. Kelly*, 39 F.3d 328, 330 (D.C. Cir. 1994) (quoting *Neitzke v. Williams*, 490 U.S. 319, 327 n.6 (1989)). Claims are patently insubstantial if they are "essentially fictitious," for example, advancing "bizarre conspiracy theories," "fantastic government manipulations of [one's] will or mind," or some type of "supernatural intervention." *Id.* at 330. In such cases, a district court may dismiss the case *sua sponte*. *See Lewis v. Bayh*, 577 F. Supp. 2d 47, 54 (D.D.C. 2008)

(quoting *Brown v. Dist. Unemployment Comp. Bd.*, 411 F. Supp. 1001, 1001–02 (D.D.C. 1975) (noting that “a district court has the power to dismiss a case *sua sponte* if it is frivolous”)).

Here, Plaintiff’s Complaint rests on the kind of fantastic and delusional claims that warrant dismissal *sua sponte*. Specifically, referring to themselves as “World Citizens,” Plaintiffs allege, among other things, that Officer Shedd, a Defendant in this matter, violated their civil rights in a traffic stop and arrest that seems to have occurred near the RV park at which they stay and a local grocery store, Compl. at 8–13; that their cars were rammed and then confiscated by county police, *id.* at 13; and that the county detention center did not allow them to make any phone calls and did not notice them of the probable cause for their arrests, *id.* at 13–14. Plaintiffs’ claims also rely on various misstatements and misapplications of the law. *See, e.g., id.* at 9 (suggesting incorrectly that the Supreme Court ruled that driver’s licenses are not required to drive “[one’s] own cars”); *id.* at 30–37 (claiming themselves to be “world citizen[s] of the world government” under the Ninth Amendment and the United Nations Charter). Then follows a list of “counts” based off further misapplication of the Ninth Amendment. *Id.* at 40–55, 62–66. As relief, they seek \$224,530 in damages as compensation for “hate crime” and “personal property stolen.” *Id.* at 18. These are precisely the kind of “fanciful” allegations that do not state a substantial federal question. *See Neitzke*, 490 U.S. at 325; *see also Crisafi v. Holland*, 655 F.2d 1305, 1307–08 (D.C. Cir. 1981) (“A court may dismiss as frivolous complaints . . . postulating events and circumstances of a wholly fanciful kind.”). Accordingly, upon *sua sponte* review, this action is dismissed.

A separate final, appealable order accompanies this Memorandum Opinion.

Dated: August 22, 2022


Amit P. Mehta
United States District Judge

In re The Sur Greens III

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HARRY SUR GREEN III &)
CYNTHIA SUR GREEN III,)
)
Plaintiffs,)
)
v.) Case No. 22-cv-02455 (APM)
)
STATE OF GEORGIA et al.,)
)
Defendants.)
)

ORDER

For the reasons set forth in the court's Memorandum Opinion, ECF No. 6, this action is hereby dismissed sua sponte. Judgment is entered in favor of Defendants.

This is a final, appealable order.

Dated: August 22, 2022


Amit P. Mehta
United States District Court Judge

e.g. "APPendix A"

26d)

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS**FILED**

JUN 27 2022

PEOPLE OF THE STATE OF ILLINOIS)
 vs.) No. 13 CF 506
 CYNTHIA CRAWFORD)
 Defendant)

CLERK OF CIRCUIT COURT #4
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

ORDER QUASHING WARRANT AND ORDER TO REPORT TO MADISON COUNTY
PROBATION WITHIN 96 HOURS FROM RELEASE FROM CUSTODY AND ORDER
SETTING PTR STATUS HEARING

Defendant is currently incarcerated in Dooly County, Georgia.
 The Warrant of Arrest herein is QUASHED and RECALLED.

Defendant is currently on probation in this cause.

Defendant shall report in person to the Madison County
Probation Department, Room # 312, Madison County Administration
Building, 157 North Main St., Edwardsville, Illinois 62025, WITHIN
96 HOURS FROM HIS RELEASE FROM CUSTODY. Probation Phone (618)
296-5285. IF DEFENDANT FAILS TO REPORT TO PROBATION AS DIRECTED A
NEW WARRANT OF ARREST SHALL ISSUE WITH NO BOND FOR THE DEFENDANT.

This cause is hereby ordered set for status hearing on the Petition to Revoke Probation (PTRP), on July 23, 2022 @ 9:00a.m., Courtroom #109, Madison County Criminal Justice Center, 509 Ramey St., Edwardsville, Illinois 62025. DEFENDANT MUST APPEAR IN PERSON IN COURT ON THIS DATE.

Copy of this Order to be given to Defendant upon his release from custody.

Clerk to send a copy of this order to Defendant at L/K/A, the Defendant's Attorney, SAO and Madison County Adult Probation.

Date:

6/27/22

ENTER:


JUDGE

JWB-ASD

e.g. "Appendix A".

**Additional material
from this filing is
available in the
Clerk's Office.**