

United States Court of Appeals For the First Circuit

No. 22-1834

ADAM P. STREGE,

Plaintiff - Appellant,

v.

ERIC A. VOS, Chief Public Defender, in his official and individual capacity; SCHNEIDER ELECTRIC, LTD; MARTI LICON-VITALE, Warden of MDC Guaynabo, in his official and individual capacity; MICHAEL CARVAJAL, Director of the BOP, in his official and individual capacity; KILOLO KIJAKAZI, Social Security Acting Commissioner, in her official and individual capacity; GERALD CAVIS, FBI Agent, in his official and individual capacity; RAFAEL RIVIERE, FBI Director, in his official and individual capacity; CHRISTOPHER A. WRAY, FBI Director, in his official and individual capacity; GOOGLE, INC.; ENDURANCE INTERNATIONAL GROUP; APACHE SOFTWARE FOUNDATION; CKE RESTAURANTS HARDEE'S HAMBURGERS; MIMECAST; GMAIL; JOHN DOES 1-5, five unknown Grand Rapids Social Security Workers;

Defendants - Appellees.

Before

Barron, Chief Judge,
Howard and Montecalvo, Circuit Judges.

JUDGMENT

Entered: July 10, 2023

Pro se Plaintiff-Appellant Adam Strege appeals from the dismissal of his complaint seemingly attempting to assert civil rights violations and related claims. After appointing multiple attorneys to represent plaintiff-appellant, pro bono, and after allowing multiple amendments of the operative complaint, the district court dismissed for failure to state a claim. See Fed. R. Civ. P. 12(b)(6). Plaintiff-appellant has filed his merits brief; one defendant-appellee has moved for summary disposition, while the remaining defendant-appellees have declined to file merits briefs. After de novo review of the record and careful consideration of plaintiff-appellant's brief and the other filings of the parties, we grant the motion for summary disposition and affirm the district court's decision dismissing the complaint in its entirety, substantially for the reasons set forth in

the district court's October 13, 2022 Memorandum and Order. See Estate of Bennett v. Wainwright, 548 F.3d 155, 162 (1st Cir. 2008) (standard of review); see also Ashcroft v. Iqbal, 556 U.S. 662 (2009) (relevant general principles).

With his brief and other filings, plaintiff-appellant has not shown error in the district court's conclusion that his complaint failed to state a claim upon which relief could be granted under Fed. R. Civ. P. 12(b)(6).

The judgment of the district court is affirmed as to all defendant-appellees. See Local Rule 27.0(c). Any remaining pending motions, to the extent not mooted by the foregoing, are denied.

By the Court:

Maria R. Hamilton, Clerk

cc:

Adam Paul Strege

Mariana E. Bauzá Almonte

Ricardo A. Imbert-Fernandez

IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF PUERTO RICO

ADAM STREGE

Plaintiff

v.

ERIC VOS, ET AL

Defendants

CIVIL NO. 21-1572 (RAM)

MEMORANDUM AND ORDER

RAÚL M. ARIAS-MARXUACH, United States District Judge

Plaintiff Adam Strege's ("Plaintiff") filed a **pro se** **Compl ai nt** on November 30, 2021. (Docket No. 2). In its initial pages, Plaintiff references having been in a Puerto Rico Detention Center as well as having been falsely arrested by a "Grand Rapids Michigan Social Security Law Judge" for requesting a Social Security Administration proceeding. Id. at 1-2. The remainder of the **Compl ai nt** consists of variations of the phrase "the Computer Julie 4s will spread the Plague in the Stock Market computers God Loves you[,] " imaginative descriptions of Plaintiff's relatives, and references to seemingly unrelated events. Id. at 3-9. Plaintiff subsequently filed two amended complaints; both of which increased in length but failed to clarify the nature of Plaintiff's claims. (Docket Nos. 18 and 35). It is worth noting that throughout these proceedings, the Court has appointed Plaintiff with **three**

Civil No. 21-1572

Page 2

different pro-bono counsel, all of whom have withdrawn. (Docket Nos. 9, 19, 38). Despite these appointments and the Court's orders, Plaintiff continuously made pro-se filings. (Docket No. 11).

On June 8, 2022, the Court issued the following order: "The Court will not appoint further pro-bono counsel and thus Plaintiff may proceed pro-se... Plaintiff shall show cause why this action should not be dismissed for failure to state a claim upon which relief can be granted." (Docket No. 47). Plaintiff filed a **Motion in Compliance**. (Docket No. 48). Currently pending before the Court are Plaintiff's **Motion Requesting Order Not to Dismiss Case** and **Motion for Default Judgment**. (Docket Nos. 49 and 55).

Fed. R. Civ. P. 12(b)(6) allows a complaint to be dismissed for "failure to state a claim upon which relief can be granted." When ruling on a motion to dismiss under this rule, courts must determine whether "**all** the facts alleged [in the complaint], when viewed in the light most favorable to the plaintiffs, render the plaintiff's entitlement to relief plausible." Ocasio-Hernandez v. Fortuno-Burset, 640 F.3d 1, 14 (1st Cir. 2011).

Additionally, 28 U.S.C. § 1915(e)(2)(B) gives the Court the authority to dismiss a claim in forma pauperis on the grounds of it being either: frivolous or malicious; fails to state a claim on which relief may be granted; or seeks monetary relief against a defendant who is immune from such relief. A complaint is frivolous

Civil No. 21-1572

Page 3

if "lacks an arguable basis either in law or in fact, one that contains either inarguable legal conclusions or fanciful factual allegations." Street v. Fair, 918 F.2d 269, 272-73 (1st Cir. 1990) (citations omitted) (emphasis added). Also, "the statute accords judges not only the authority to dismiss a claim based on an indisputably meritless legal theory, but also the unusual power to pierce the veil of the complaint's factual allegations and dismiss those claims whose factual contentions are clearly baseless." Neitzke v. Williams, 490 U.S. 319, 327 (1989).

Upon reviewing Plaintiff's allegations, the Court is compelled to dismiss Plaintiff's **Second Amended Complaint** for being frivolous and failing to state a claim upon which relief may be granted. The **Second Amended Complaint's** factual averments range from the alleged false arrest, through well-known terrorist attacks, to the end of days. It references a jumble of legal authorities and texts ranging from the Constitution of the United States and Supreme Court jurisprudence, through the English Bill of Rights of 1869, to the Universal Declaration of Human Rights. Thus, Plaintiff's **Second Amended Complaint** at Docket No. 35 is hereby **DISMISSED WITH PREJUDICE**. Likewise, Plaintiff's **Motion Requesting Order Not to Dismiss Case** at Docket No. 49 and **Motion for Default Judgment** at Docket No. 55 are **DENIED AS MOOT**. Judgment shall be entered accordingly.

Civil No. 21-1572

Page 4

IT IS SO ORDERED.

In San Juan, Puerto Rico this 13th day of October 2022.

S/ RAÚL M. ARIAS-MARXUACH
United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF PUERTO RICO

ADAM STREGE

Plaintiff

v.

ERIC VOS, ET AL

Defendants

CIVIL NO. 21-1572 (RAM)

JUDGMENT

In accordance with the Memorandum and Order entered today (Docket No. 57), judgment is entered DISMISSING this action with prejudice.

This case is now closed for statistical purposes.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 13th day of October 2022.

S/ RAÚL M. ARIAS-MARXUACH
United States District Judge

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