

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEONARD STEVENS, JR. :  
 :  
 v. : CIVIL ACTION  
 : NO. 00-4618  
 CHEX SYSTEMS OF :  
 DALLAS, TEXAS, et. al. :

**MEMORANDUM AND ORDER**

HUTTON, J.

October 12, 2000

Presently before the Court are Plaintiff's Motion to Proceed In Forma Pauperis (Docket No. 1) and two slightly differing versions of a "Complaint."

**I. BACKGROUND**

Plaintiff, Leonard Stevens, Jr., has filed a pro se Motion to Proceed In Forma Pauperis which contains two versions of a "Complaint" naming Commerce Bank of Mt. Laurel, New Jersey and Chex Systems of Dallas, Texas as Defendants. The Complaints allege various statutory violations stemming from Defendants' purported failure to delete negative credit information from Plaintiff's credit file and the penetration of private government files containing information about Plaintiff at the Maryland Social Security Agency and the Pennsylvania Department of Transportation. Plaintiff has requested a waiver of the filing fee based upon his current financial situation.

## II. DISCUSSION

### A. Motion to Proceed In Forma Pauperis

The federal in forma pauperis statute is designed to provide access to the federal courts to indigent litigants. See Neitzke, et. al. v. Williams, 490 U.S. 319, 324 (1989); see also 28 U.S.C. § 1915(a) (2000). Once an indigent litigant provides an affidavit containing the proscribed information, the Court "may authorize the commencement, prosecution or defense of any suit, . . . without prepayment of fees." § 1915(a). In support of his Motion to Proceed In Forma Pauperis, Plaintiff has submitted an affidavit stating that he has no money, real estate, stock, bonds, notes, automobiles or other valuable property. It appears from his affidavit that Plaintiff does not have the funds necessary to pay the fees associated with pursuing this action. As a result, leave to proceed in forma pauperis is granted.

### B. The Complaint

While Plaintiff's financial position may entitle him to a waiver of fees, § 1915(e)(2) helps to prevent potential abuses of this right by mandating that the Court dismiss an in forma pauperis complaint at any time if the action "is frivolous or malicious" or "fails to state a claim on which relief may be granted." See 28 U.S.C. § 1915(e)(2)(B)(i)(ii) (2000); see also Neitzke, 490 U.S. at 327. In this context, frivolous complaints contain "claims based on an indisputably meritless legal theory and claims whose factual

contentions are clearly baseless." Roman v. Jeffes, 904 F.2d 192, 194 (3d Cir. 1990). Complaints will be dismissed if there is no recognized legal interest being infringed or the claims describe "fantastic or delusional scenarios." See Neitzke, 490 U.S. at 327. In determining the merit of a pro se complaint, the Court will look with a more forgiving eye. See Haines v. Kerner, 404 U.S. 519, 520 (1972).

Plaintiff's Complaints in the instant case fail to rise above the standards for dismissal under § 1915(e)(2)(B). The Complaints are disjointed, sometimes unintelligible, and lacking any requests for relief. Viewing Plaintiff's Complaints liberally, he seems to allege violations of: (1) the Fair Credit Reporting Act, (2) the Governmental Privacy Act, (3) the Sherman Antitrust Act, and (4) the Clayton Act. However, Plaintiff does not put forth any facts which would support an alleged violation of these statutes by the Defendants. Instead, Plaintiff puts forth some vague and unsupported factual allegations which could rightfully be classified as "fantastic and delusional scenerios." Accordingly, Plaintiff's Complaints are dismissed.

An appropriate Order follows.

