

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANTHONY BUSSIE,¹

Plaintiff,

v.

NANCY PELOSKI - HOUSE SPEAKER,

Defendants.

OPINION AND ORDER

Case No. 20-cv-463-wmc

ANTHONY BUSSIE,

Plaintiff,

v.

ACCOUNTANT FOR TREASURY and
TREASURER FINANCIAL
ACCOUNTING SERVICES,

Defendants.

Case No. 20-cv-962-wmc

ANTHONY BUSSIE,

Plaintiff,

v.

TREASURER SECRETARY JANET
YELLEN,

Defendants.

Case No. 21-cv-263-wmc

¹ This complaint also lists Noor Salman, Cesar Syoc, John Kless and Donald Snyder as plaintiffs. Only plaintiff Bussie signed the complaint and filed a motion to proceed *in forma pauperis*, and there is no indication in the docket that these other individuals actually intend to join this action. Since Bussie is not an attorney, he cannot sign the complaint on their behalf, and the court construes this lawsuit as being brought by Bussie alone. *See Lewis v. Lenc-Smith Mfg. Co.*, 784 F.2d 829, 831 (7th Cir. 1986); Fed. R. Civ. P. 11 (“Every pleading, written motion, and other paper must be signed . . . by a party personally if the party is unrepresented.”).

ANTHONY BUSSIE,
PRESIDENT DONALD TRUMP,
JACOB CHANSLEY WEISS, JOHN
KLESS and NOOR SALMON,²

Case No. 21-cv-191-wmc

Plaintiff,

v.

CONGRESSWOMAN JAIME BEUTLER,
et al.,

Defendants.

Pro se plaintiff Anthony Bussie filed these civil lawsuits, seeking leave to proceed *in forma pauperis*. Under 28 U.S.C. § 1915(e)(2), this court must screen his complaints and dismiss any portion that is frivolous, malicious, fails to state a claim upon which relief may be granted or seeks monetary relief from a defendant who by law cannot be sued for money damages. Even construing Bussie's complaint generously and in his favor, *see Haines v. Kerner*, 404 U.S. 519, 521 (1972), Bussie's claims outlined in these lawsuits must be dismissed as both frivolous and malicious.

BACKGROUND AND ALLEGATIONS

Bussie is currently a patient at the Federal Medical Center in Butner, North Carolina. In 2012, Bussie was arrested and charged in a federal indictment with threatening to harm a United States congressman. *See United States v. Bussie*, No. 12-cr-

² Similar to Case No. 20-cv-463, this complaint also includes additional plaintiffs (President Donald Trump, Jacob Chansley, John Kless and Noor Salmon), none of whom signed the complaint or appear to intend to join this action. As such, the court has excluded these plaintiffs from the case caption.

229, dkt. #43 (D.N.J. Apr. 16, 2015). The records of this criminal case show that this case was dismissed without prejudice because Bussie suffers from a mental disease that rendered him incompetent to proceed to trial. *Id.* Instead, he was ordered civilly committed. *Id.* His status remains unchanged.

Bussie has filed *hundreds* of lawsuits across the country; a national database of court records reflects that Bussie has filed over 200 civil actions in the federal courts. Like many of his previous lawsuits, Bussie's lawsuits currently before the court arise from his belief that he performed intelligence work as a federal contractor and that, since 2012, numerous federal entities and officials have been responsible for preventing him from being compensated for that work. Those are the exact claims Bussie raises in Case Nos. 20-cv-463, 20-cv-962, against Speaker of the United States House of Representatives Nancy "Peloski," the Accountant for the Treasury Department, and the "Treasurer Financial Accounting Services," in which he also appears to be seeking the ability to have "open communications" with federal officials to negotiate his right to payment. In Case No. 21-cv-263, which is styled as a petition for a writ of habeas corpus brought under 28 U.S.C. § 2254, Bussie asks that the court assist his release from FMC because respondent Janet Yellen has been obstructing his ability to receive payment for his services, resulting in angry protests and the attacks on law makers and other government officials. And in Case No. 21-cv-191, Bussie purports to be suing dozens of senators and congresspeople, claiming that he was improperly charged for speaking out about the government's refusal to pay for his services as a federal contractor.

OPINION

A *pro se* complaint is subject to dismissal as frivolous if it lacks an arguable basis in fact or law. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). A complaint lacks an arguable basis in fact when plaintiff's allegations are so "fanciful," "fantastic," and "delusional" as to be "wholly incredible." *Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992) (citing *Neitzke*, 490 U.S. at 325)). As prior decisions rejecting Bussie's claims have recognized, Bussie's allegations in these four actions fit this category and are thus subject to dismissal. See *Bussie v. Attorney General*, No. 13-cv-476-wmc (W.D. Wis. July 30, 2013); *Bussie v. Federal Election Comm'n*, No. 13-cv-477-wmc (W.D. Wis. July 30, 2013); *Bussie v. Dep't of Commerce*, No. 12-cv-792, dkt. #8 (E.D.N.C. Mar. 12, 2013); *Bussie v. United States*, 443 F. App'x 542 (7th Cir. 2011).

Additionally, Bussie's practice of repeating these types of allegations has been construed as malicious, and so these lawsuits are subject to dismissal as malicious as well. See *Lindell v. McCallum*, 352 F.3d 1107, 1109-10 (7th Cir. 2003) (citing *Pittman v. Moore*, 980 F.2d 994, 995 (5th Cir. 1983) (it is "malicious" for a *pro se* litigant to file a lawsuit that duplicates allegations of another pending federal lawsuit by the same plaintiff). Given that Bussie is pursuing duplicative claims that have been adjudicated previously elsewhere and in this court, he may not proceed with the same allegations here. Accordingly, these lawsuits will be dismissed as both frivolous and malicious.

Finally, the court notes that this is Bussie's *fourth* frivolous lawsuit that he has filed in this court since the beginning of 2020. Bussie is on notice that this court will impose a filing bar prohibiting him from filing any new lawsuits in this court, with the exception of

habeas corpus petitions and complaints alleging imminent danger of serious physical harm, should he continue to file frivolous and malicious lawsuits in this court.

ORDER

IT IS ORDERED that:

1. Anthony Bussie's motion for leave to proceed *in forma pauperis* (dkt. #2) is DENIED.
2. The proposed complaints are DISMISSED as frivolous and malicious for purposes of 28 U.S.C. § 1915(e)(2).

Entered this 14th day of May, 2021.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge