

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

ALEXANDER JUSTIN MCAFEE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 24-02334 (UNA)
	)	
	)	
JOSEPH ROBINETTE BIDEN, JR. <i>et al.</i> ,	)	
	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION**

This action, brought *pro se*, is before the Court on Plaintiff's complaint against President Joe Biden, Vice President Kamala Harris, and Secretary of State Antony Blinken for breach of contract, ECF No. 1, and Plaintiff's application to proceed *in forma pauperis*, ECF No. 2. The Court will grant the application and dismiss this action pursuant to 28 U.S.C. § 1915(e)(2)(B) (requiring immediate dismissal of a case upon a determination that the complaint is frivolous).

Plaintiff alleges that Defendants breached a "written" contract made on April 19, 2024, to "provide documented evidence that I, My Self have knowing and willingly with full understanding and disclosure have entered into the Offer/Contract that was presented by an instrumentality of the United States, namely the Commonwealth of Pennsylvania[.]" ECF No. 1 at 4. The breach occurred when "Defendants . . . failed to Answer in the prescribed time as set forth into the Counter-Offer, a.k.a Conditional Acceptance Upon Proof of Claim." *Id.* Plaintiff posits that Defendants have acquiesced apparently in his offer for them "to step down from any and all offices held public and private, and never run for public or private office again." *Id.*

A complaint supported, as here, by allegations lacking “an arguable basis either in law or in fact” may be dismissed as frivolous. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). The term frivolous “embraces not only the inarguable legal conclusion, but also the fanciful factual allegation.” *Id.* Consequently, this case will be dismissed by separate order.

Date: September 25, 2024

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/s/  
JIA M. COBB  
United States District Judge