

BASIL MARCEAUX, SR., )  
 )  
v. ) Case No. 1:13-cv-364-HSM-SKL  
 )  
CITY OF CLEVELAND, TENNESSEE )  
d/b/a Basil Marceaux, *et al.* )

construed and “held to less stringent standards than formal pleadings drafted by lawyers.”  
*Erickson*, 551 U.S. at 94 (citing *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)).

Mr. Marceaux’s complaint is frivolous and nonsensical. Mr. Marceaux regularly burdens this Court with virtually incomprehensible and frivolous filings. See, e.g., *Marceaux v. U.S. Marine Corps, d/b/a Basil Marceaux, et al.*, Case No. 1:12-cv-399, (Dec. 3, 2012); *Marceaux v. Red Bank et al.*, Case No. 4:10-cv-75, (Dec. 22, 2011). Accordingly, it is **RECOMMENDED**<sup>1</sup> that Mr. Marceaux’s application to proceed *in forma pauperis* be **DENIED** and this action be **DISMISSED** in its entirety.

s/ Susan K. Lee

SUSAN K. LEE  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Any objections to this Report and Recommendation must be served and filed within fourteen (14) days after service of a copy of this recommended disposition on the objecting party. Such objections must conform to the requirements of Rule 72(b) of the Federal Rules of Civil Procedure. Failure to file objections within the time specified waives the right to appeal the District Court’s order. *Thomas v. Arn*, 474 U.S. 140, 88 L.Ed.2d 435, 106 S. Ct. 466 (1985). The district court need not provide *de novo* review where objections to this report and recommendation are frivolous, conclusive or general. *Mira v. Marshall*, 806 F.2d 636 (6<sup>th</sup> Cir. 1986). Only specific objections are reserved for appellate review. *Smith v. Detroit Federation of Teachers*, 829 F.2d 1370 (6<sup>th</sup> Cir. 1987).