

SUPERIOR COURT
OF THE
STATE OF DELAWARE

E. SCOTT BRADLEY
JUDGE

SUSSEX COUNTY COURTHOUSE
1 The Circle, Suite 2
GEORGETOWN, DE 19947

May 16, 2006

Keavney L. Watson
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

RE: Watson v. Chevy Chase Bank,	C.A. No. 05C-08-012
Watson v. Wilmington Trust Bank,	C.A. No. 05C-08-014
Watson v. Bank One and County Bank,	C.A. No. 05C-08-016
Watson v. Bank of America and Bankamerica,	C.A. No. 05C-08-018
Watson v. M.E. Brittingham and Son, et al.,	C.A. No. 05C-08-013
Watson v. Miller Lawn Service, et al.,	C.A. No. 05C-08-015
Watson v. Watson Mortuary Service, et al.,	C.A. No. 05C-08-017
Watson v. Melvin Stanley and Evelyn Stanley,	C.A. No. 05C-09-002
Watson v. Lucille I. Williams and Tomeka Mapp,	C.A. No. 05C-09-004
Watson v. Jessie Peterson, et al.,	C.A. No. 05C-09-003

Dear Mr. Watson:

Enclosed please find a copy of my decision on the pending motions to proceed *in forma pauperis* and upon a review of the complaints in the above-captioned matters. Also enclosed is a copy of the transcript of the November 23, 2005, hearing.

Very truly yours,

E. Scott Bradley

cc: Prothonotary's Office

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

KEAVNEY L. WATSON, : C.A. No. 05C-08-012

Plaintiff, :

v. :

CHEVY CHASE BANK, :

Defendant. :

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

KEAVNEY L. WATSON, : C.A. No. 05C-08-014

Plaintiff, :

v. :

WILMINGTON TRUST BANK, :

Defendant. :

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

KEAVNEY L. WATSON, : C.A. No. 05C-08-016

Plaintiff, :

v. :

BANK ONE :

COUNTY ONE, :

Defendants. :

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

KEAVNEY L. WATSON, : C.A. No. 05C-08-018

Plaintiff, :

v. :

BANK OF AMERICA :

BANKAMERICA, :

Defendants. :

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

KEAVNEY L. WATSON,	:	C.A. No. 05C-08-013
Plaintiff,	:	
v.	:	
M.E. BRITTINGHAM & SON,	:	
MIKE BRITTINGHAM,	:	
CLARA BRITTINGHAM,	:	
MONROE BRITTINGHAM,	:	
Defendants.	:	

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

KEAVNEY L. WATSON,	:	C.A. No. 05C-08-015
Plaintiff,	:	
v.	:	
MILLER LAWN SERVICE,	:	
TAXMAN ACCOUNTING,	:	
MICHAEL MILLER, SR.,	:	
DENISE MILLER,	:	
WILLIAM MILLER, SR.,	:	
HELEN MILLER,	:	
Defendants.	:	

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

KEAVNEY L. WATSON, : C.A. No. 05C-08-017

Plaintiff, :

v. :

WATSON MORTUARY SERVICE, INC., :

JOHN WATSON, :

CANDICE WATSON, :

KEITH WATSON, :

MATTHEW WATSON, :

Defendants. :

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

KEAVNEY L. WATSON, : C.A. No. 05C-09-002

Plaintiff, :

v. :

MELVIN STANLEY, :

EVELYN STANLEY, :

Defendants. :

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

KEAVNEY L. WATSON, : C.A. No. 05C-09-004

Plaintiff, :

v. :

LUCILLE I. WILLIAMS, :

TOMEKA MAPP, :

Defendants. :

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR SUSSEX COUNTY

KEAVNEY L. WATSON, : C.A. No. 05C-09-003

Plaintiff, :

v. :

JESSIE PETERSON, :

IRENE PETERSON, :

K&J TRUCKING, :

Defendants. :

DECISIONS ON MOTIONS TO PROCEED *IN FORMA PAUPERIS*
AND UPON REVIEW OF COMPLAINTS

DATE SUBMITTED: February 17, 2006

DATE DECIDED: May 16, 2006

Keavney Watson, pro se, Delaware Correctional Center, 1181 Paddock Road, Smyrna, DE 19977

BRADLEY, J.

Pending before the Court are ten lawsuits which Keavney Watson (“Watson”) has filed against various parties. Watson also has filed motions to proceed *in forma pauperis* in each case. Because the Court had difficulty discerning what it is Watson was alleging, it held a hearing on November 23, 2005.¹ This is my decision on the pending motions to proceed *in forma pauperis* and addressing the complaints in each case.

Motions to proceed *in forma pauperis*

Watson has submitted the required Affidavit in Support of Application to Proceed *in forma pauperis*. His responses to several inquiries in the affidavits are problematical.

Where asked to provide the name and address of his last employer, he has stated either “N/A” or “Never worked”. However, in his complaint against Miller Lawn Service, et al. and against M.E. Brittingham & Son, et al., he alleges he was a laborer. Additionally, at the November hearing, he clarified he worked for these two entities.

In response to the question of whether he has, at any time while incarcerated, previously brought an action in any court of this State or in any Federal court, he has responded “No”. At the time he provided this answer, Watson had brought seventeen (17) actions in Delaware, thirteen (13) of which sought writs of habeas corpus and four (4) of which sought writs of mandamus. Furthermore, he had filed at least two writs of habeas corpus with the United States District Court in and for the District of Delaware.

Watson has not been truthful in the affidavits. The appropriate sanction is to deny the motions to proceed *in forma pauperis*. Consequently, this Court denies the motion to proceed *in forma pauperis*.

¹The transcript of that hearing was filed on February 27, 2006.

In connection with deciding this motion, the Court has reviewed the complaints. See 10 Del. C. § 8803(b). If a complaint is legally or factually meritless, frivolous, or malicious, then the Court does not allow the matter to proceed. Since the Court has determined the validity of each respective complaint, judicial economy calls for rulings thereon at this time rather than at a later stage of the proceedings.

SUMMARIES OF CLAIMS

In order to more easily summarize the complaints' contents, I group them according to common defendants. The first group of cases consists of those against numerous banks. Persons and/or businesses for whom Watson has worked comprise the second group. The third group of cases includes those with claims against family members. The final group consists of the Peterson defendants.

1) Bank defendants

Watson has filed suits against the following banks:

Chevy Chase Bank, C.A. No. 05C-08-012

Wilmington Trust Bank, C.A. No. 05C-08-014

Bank One and County Bank, C.A. No. 05C-08-016

Bank of America and Bankamerica, C.A. No. 05C-08-018

These complaints are virtually identical. With some minor differences, they read as follows:

Now comes, petitioner, Keavney L. Watson, pro se respectfully move this

Honorable Court pursuant to 324 A.2d 215; 518 A.2d 973² based on the following

1 Petitioner is suing for \$500 million, interest and all account information (personal, business, credit card) etc.

2 Petitioner went to several different branches At each branch Mr. Watson was denied services and told he need to get an attorney if he expects to use the bank services to obtain his legally rightful currentcy and bank information

3 The neglect of the Bank to release Mr. Watson currentcy or Banking information made Mr. Watson live a deprive life of poverty. Mr. Watson has not used no accounts dealing with this particular Bank

4 Snow ball effect being Mr. Watson was not able to use this particular Bank on the behalf of the banks neglect to honor its duty The Bank was able to take Mr. Watson currentcy and account information to make investments for their personal gain, while Mr. Watson lived in poverty.

Moreover, Petitioner believes that sufficient grounds exist for this Honorable Court to grant this complaint Motion to file civil suit against [WHICHEVER BANK HE IS SUNG NAMED HERE] release him for a world of poverty to paradise.

2) Employer defendants

Watson has sued the following individuals and businesses for whom he worked as a laborer at some point:

M.E. Brittingham and Son	C.A. No. 05C-08-013
Michael Brittingham	
Clara Brittingham	
Monroe Brittingham	

Miller Lawn Service	C.A. No. 05C-08-015
Taxman Accounting	
Michael Miller, Sr.	
Denise Miller	
William Miller, Sr.	
Helen Miller	

²It is not clear how these cases relate to the complaint.

In the complaints against them, he makes the same allegations with regard to each, and those allegations are:

2 The Defendants illegally use Mr. Watson personal information without his knowledge and or consent to inance the personal business in which only the Defendant benefited.

3 Snowball effect being the defendants illegally used Mr. Watson personal information to inance their personal business. They were able to take the money the business made and apply it to other personal money making affairs

4 Mr. Watson had no knowledge the Defendants used his personal information to become business partners.

3) Family-related defendants

Watson has sued the following entities and persons which are family-related:

Watson Mortuary Service	C.A. No. 05C-08-017
John Watson	
Candice Watson	
Keith Watson	
Matthew Watson	

Melvin Stanley	C.A. No. 05C-09-002
Evelyn Stanley	

Lucille I. Williams	C.A. No. 05C-09-004
Tomeka Mapp	

a) Watson defendants

Watson alleges as follows with regard to the Watson defendants:

2 Defendants are illegally withholding Mr. Watson person investments and account information. Mr. Watson went to Watson Mortuary Service, Inc. and residence 1968 Kennedy Blvd., Jersey City, NJ, to obtain his investment and account information. Where Mr. Watson was denied access to enter both places by the Defendants and their personal employee.

Snowball effect cause the Defendants neglect to release Mr. Watson investment

and account information they were able to take Mr. Watson currently make other investments to enhance their personal business affairs.

Mr. Watson did not or has not used any investment accounts or money account information due to the fact of the Defendants neglect to release the information to him willingly. Mr. Watson has been living a world of poverty.

At the November hearing in this matter, Watson provided the following information regarding the Watson defendants. Watson Mortuary is located in Jersey City, New Jersey. Watson's family owns this business. When he went there, he was denied access. He was wanted at that time, so he did not press the matter. He returned to Delaware to turn himself in, and said he would "file paperwork through the court and force them to give it to me." Transcript of November 23, 2005, Hearing at page 15 ("Trans. at ____"). He claims he is an owner of the business.

b) Stanley, Williams, and Mapp defendants

Evelyn Stanley is Watson's mother, Lucille Williams is his grandmother, and Tomeka Mapp is his sister.

The complaints against these sets of defendants are identical. He alleges:

- 1 ... Defendants illegally use Mr. Watson personal information without his permission or knowledge.
2. The Defendants knowingly and willingly defraud Banks and documents in which they were able to use Mr. Watson Personal Information to enhance their personal lifestyle while Mr. Watson lived a world of poverty.
3. The snowball effect of the two conspiring together to steal Mr. Watson identity Mr. Watson should be awarded everything they purchase due to their fraud.

He maintained at the hearing that there exists a family conspiracy to use his identity and keep him locked up.

*** Your Honor, I seen credit card statements. Credit cards at their -- because what happened was I came home one day, right? And it was a Chevy Chase Bank, the credit cards was from the Chevy Chase Bank. I said I don't -- what is this. So I opened it up, right, and it was my pin number. I said, Grandma, where is my credit card. She said what that. And she snatched the paper from me, right? She snatched it like -- you know what I mean, like give me that.

So what am I supposed to do, my grandmom snatched it from me. Like I can't do nothing, because if I do anything, she'll call the cops. I'm going to jail. You know what I mean.

Trans. at 29.

4) Peterson defendants

This complaint against Jessie and Irene Peterson and K&J Trucking, C.A. No. 05C-09-003, differs a little from the ones above. Watson has admitted committing crimes against Irene Peterson.³ He alleges:

- 1) Keavney L. Watson is suing ... due to the fact that the Defendants illegally used Mr. Watson Person Information without his permission or knowledge.
- 2) The Peterson stole Mr. Watson Identity in a high tect fashion by abusing the law. Mr. Peterson would allow Mr. Watson to use his vehicle time and time again the Ms. Peterson would call the cops on Mr. Watson at the same time the Peterson was forging Mr. Watson personal information on documents.
- 3) The snowball effect of the two conspiring together to steel Mr. Watson Identity and abuse the law to accuse Mr. Watson as the criminal. Mr. Watson should be awarded everything the Peterson own.

At the November hearing, Watson explained that the Petersons would allow him to use their car and then they would call the police on him for having the car so that they could continue to use his identity while he was in jail. If he was in jail, he would be out of the way. Trans. at 27-

³In the case of State v. Peterson, Del. Super., Def. ID# 0407002805, Watson pled guilty to using Irene Peterson's vehicle without her permission and to violating an order of the Family Court regarding contact with Irene Peterson.

28. These statements, however, completely contradict the facts of the crimes to which he pled guilty. State v. Peterson, Def. ID# 0407002805.

DISCUSSION

Complaints against all defendants other than the Watson defendants

I address, first, the complaints against all defendants other than the Watson defendants. Watson has filed these suits because he is suspicious that others are illegally using his name. He admits he is seeking to discover information to verify these suspicions. This litigation, as a whole, constitutes a fishing expedition. His complaints are legally meritless, and the Court dismisses them.

At the November, 2005, hearing, the Court clarified several times that the purpose of the hearing was to determine if Watson had stated any claims against defendants. The Court explained that Watson needed to satisfy it that he was able to meet the requirements of Superior Court Civil Rule 8(a), that he set forth “a ... plain statement of the claim showing that the pleader is entitled to relief”. Watson wanted to focus only on the *in forma pauperis* aspect of the motion. He explained that he did not want to tell the Court what his claims were. As the hearing evolved, Watson clarified he did not have any claims as of yet. Viewing his statements and allegations in a light most favorable to him, he is alleging that he suspects all the defendants have done something with his identity at banking institutions. He does not, however, have any evidence that anything wrong has been done. He thinks that with the complaints against the banks, he will obtain answers from the banks: either they will say they denied Watson service because he has no business with them or they will say he does have an account. In the latter situation, that will give him evidence

with which he can go to the Attorney General's to show others are using his identity illegally.

Trans. 32-35. He also clarified that he sued various parties with the understanding that the Court would sort out who was responsible. Trans. at 21.

Watson's comments from the November, 2005, hearing illustrate these conclusions reached above.

He went to the various defendants' homes and "observed documents with my name on it, right. I'm saying, wait a minute, I don't live here. To my knowledge, I wasn't doing no business with you; why is my name on some of your bank paperwork." Trans. at 17.

[W]hen I went to their house, I observed -- this was at the Millers, the Brittinghams, M.E. Brittingham, the Petersons, the Williams and Mapps, right, and the Stanleys. I observed documents, bank statements with my name on it. And I'm trying to figure out how did my name get on that. That's why I'm suing them, so that I can come forth and bring all of this forth, bring all of this to light. I seen this. This is what I seen Your Honor. And then went I asked them about it, I was kicked out.

Trans. at 17-18.

This is what happened first. I went to the Department of Justice, right. The Department of Justice say, well, what proof do you have. Right? So then I was like, well, listen, I need you to investigate this for me. The Department of Justice said we're not going to investigate it, you know what I mean, because you're not giving us nothing for us to investigate. So I said okay.

So then I go to the bank. When I go to the bank, the bank tells me I got information, but yet can't give it to me because I'm not a check writer, or something about the comptroller of the bank. And then they said I need three forms of ID. When I produced three forms of ID, they said something about one of my forms ain't correct, or something crazy. And then I see the lady getting ready to give me the information, and there is this white guy standing there I guess all scared, denied me access. I'm like the only thing I can do is file paperwork in the court. That's all I can do.

And respectfully, Your Honor, I didn't want to reveal this much to you, due to the fact that I wanted to preserve this for trial, you know what I'm saying, for

when, you know, the situation comes out. This is the ladder I'm taking. I'm going to this level dealing with the people.

So then I go to the bank. They said no. Now what I got to do? I got to go to the court. I have no other alternative, and I don't have no money because they won't release no money to me.

*** Well, I explained to you earlier, as far as when I went to the Wilmington Trust Bank, and that stuff, right -- well, you see, what I was told, when you're suing a person, right, you must sue the person -- no, excuse me -- the company and the persons that run the company. And then it was like the motion that I seen, right? It's like it said that the Court will determine who is responsible. That's why they said write everybody's name down. If you don't know who is responsible, then the Court will determine that. And that's why I put all -- like the Watsons and the Millers and the Brittinghams, that's why I put the numerous names.

Trans. at 19-21.

Your Honor, here's the thing, right. As I said, the individuals and the companies, right, have been stealing my identity. Everybody that I have, you know, listed as defendants, has access to my identity and to all of my records and stuff like that.

Trans. at 31-32.

When asked why anyone would want to use his information, he responded:

Sir, and you know what's crazy about this? When I go down to the banks and apply for loans, and you have that stuff, guess what? I get denied. So I'm trying to figure out how these people are using my information, and when I use it I get denied. I'm trying to figure out what's going on myself

Trans. at 25-26.

Watson has clarified that he is using the filing of these suits to see if any wrongs have been done him. That constitutes a fishing expedition. The Court does not allow for such. Great American Assurance Company v. Fisher Controls International, Inc., Del. Super., C.A. No. 02C-05-168, Slights, J. (Aug. 4, 2003) at 22-23; Alston v. Minner, Del. Super., C.A. No. 01C-07-039,

Witham, J. (Oct. 19, 2001) at 7, aff'd, 796 A.2d 654 (Del. 2002).

For the foregoing reasons, the Court dismisses the complaints against all defendants other than the Watson defendants.

Complaint against Watson defendants

It is clear from the complaint and the information which Watson presented at the November hearing that Watson Mortuary is located in New Jersey and everything involving the Watson defendants has taken place in New Jersey. None of the defendants or the activities involving them have contacts with the State of Delaware; thus, Watson cannot obtain personal jurisdiction over these defendants. 10 Del. C. § 3104. There is no point in allowing this matter to proceed in this State. If Keavney Watson wishes to pursue claims against these defendants, he will need to go to New Jersey and file suit.

The Court dismisses the complaint against the Watson defendants for the foregoing reasons.

CONCLUSION

In conclusion, the Court denies Watson's motion to proceed *in forma pauperis* and dismisses each of the complaints.

IT IS SO ORDERED.