

FILED

JAN 13 2009

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

**Clerk, U.S. District and
Bankruptcy Courts**

JAIME LUEVANO,

Plaintiff,

v.

U.S. SUPREME COURT CLERKS, *et al.*,

Defendants.

Civil Action No.

09 0071

MEMORANDUM OPINION


This matter is before the Court for consideration of plaintiff's application to proceed *in forma pauperis* and *pro se* complaint. The Court will grant the application and dismiss the complaint.


Plaintiff alleges that the Clerk and Deputy Clerks of the United States Supreme Court have failed to file his petition for a writ of certiorari, and that the Chief Justice has failed to properly supervise these employees. For these alleged violations of rights protected by the United States Constitution, plaintiff demands no particular relief.

The Clerk of the Supreme Court is the designated recipient of all documents filed with the Supreme Court, and is authorized to reject any filing that does not comply with the applicable rules and orders. *See* Sup. Ct. R. 1. This Court has no authority to determine what action, if any, action must be taken by the Justices of the Supreme Court and the Supreme Court's administrative officers with respect to plaintiff's appeals. *See In re Marin*, 956 F.2d 339, 340

(D.C. Cir.), *cert. denied*, 506 U.S. 844 (1992).

The Court will dismiss this action for failure to state a claim upon which relief can be granted. *See* 28 U.S.C. § 1915A(b). An Order consistent with this Memorandum Opinion will be issued separately on this same date.


United States District Judge

Date: 12/23/08 
~~12/23/08~~