

FILED

FEB 29 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

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

In re

JONATHAN STEELE.

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Civil Action No.

08 0373

MEMORANDUM OPINION

This matter comes before the Court on consideration of the application to proceed *in forma pauperis* and *pro se* petition .

According to petitioner, both federal and Orange County, Florida law enforcement officers engaged in or concealed organized criminal activity, yet no federal or state authorities enforced the law. Petitioner seeks a writ of mandamus “compel[ling] federal authorities to enforce the stated federal laws, F.B.I. and [Orange County Sheriff’s Office of Internal Affairs] findings on the Judicial Branch and the State of Florida’s Judicial Branch to prevent the continuous abridgment of [petitioner’s] substantive rights and obstruction of justice.” Pet. at 5 (emphasis in original). The Court cannot grant the relief petitioner seeks.

“[T]he question of whether and when prosecution is to be instituted is within the discretion of the Attorney General. Mandamus will not lie to control the exercise of this discretion.” *Powell v. Katzenbach*, 359 F.2d 234, 234-35 (D.C. Cir. 1965) (per curiam), *cert. denied*, 384 U.S. 906 (1966); *see United States v. Nixon*, 418 U.S. 683, 693 (1974) (acknowledging that the Executive Branch “has exclusive authority and absolute discretion to decide whether to prosecute a case”).

The Court will grant petitioner’s application to proceed *in forma pauperis* and will

dismiss this civil action pursuant to 28 U.S.C. § 1915A(b)(1). An Order consistent with this Memorandum Opinion is issued separately on this same date.



United States District Judge

Date:

2/8/08