

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

FEB 29 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

Dennis J. Campbell *et al.*,

Plaintiffs,

v.

United States Equal Employment
Opportunity Commission *et al.*,

Defendants.

Civil Action No.

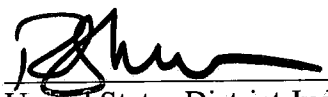
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MEMORANDUM OPINION

Before the Court are plaintiffs' application to proceed *in forma pauperis* and their complaint brought *pro se*. The application will be granted and the complaint dismissed as procedurally barred.

Plaintiffs, a husband and wife, sue the Equal Employment Opportunity Commission and an office therein for alleged improprieties in the processing of plaintiff Dennis J. Campbell's employment discrimination complaint against his former employer, the United States Postal Service. By Order of May 8, 2007, this Court dismissed with prejudice plaintiff's case arising from the same set of facts. *Campbell v. United States Equal Employment Opportunity Commission*, Civ. Action No. 07-0851 (Sullivan, J.) [Dkt. No. 3], *aff'd* App. No. 07-5166 (D.C. Cir., Oct. 19, 2007). Under the principle of *res judicata*, a final judgment on the merits in one action "bars any further claim based on the same 'nucleus of facts'" *Page v. United States*, 729 F.2d 818, 820 (D.C. Cir. 1984) (quoting *Expert Elec., Inc. v. Levine*, 554 F.2d 1227, 1234 (D.C. Cir. 1977)); accord *Taylor v. Blakey*, 490 F.3d 965, 969-70 (D.C. Cir. 2007) (citing cases). Because *res judicata* bars this action, the complaint will be dismissed by separate Order issued contemporaneously.

Date: February 15 2008


United States District Judge