

FILED

APR 29 2008

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

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

MAURICE J. McDONALD,

Plaintiff,

v.

WILLIAM K. SUTER, *et al.*,

Defendants.

Civil Action No. **08 0739**

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 with prejudice.

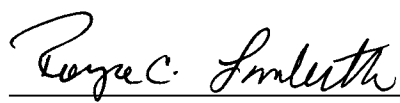
Plaintiff alleges that the Clerk and a Deputy Clerk of the Supreme Court refused to file the petition for a writ of certiorari he submitted in 2007. *See* Compl. at 6. According to plaintiff, their refusal to file his petition violates Supreme Court rules and deprives him of access to the courts. *See id.* at 6a-7.¹ Plaintiff demands "remuneration for psychological pain and anguish" suffered due to defendants' actions plus litigation costs. *Id.* at 8.

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,

¹ Petitioner includes two handwritten pages between pages of a preprinted form numbered 6 and 7. The Court designates the handwritten pages 6a and 6b.

must be taken by the Justices of the Supreme Court and the Supreme Court's administrative officers. See *In re Marin*, 956 F.2d 339, 340 (D.C. Cir.), cert. denied, 506 U.S. 844 (1992). In any event, judges and other court officials have absolute immunity for their actions taken in a judicial or quasi-judicial capacity. *Stump v. Sparkman*, 435 U.S. 349, 356 (1978).

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: 4/8/08