

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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| JOHN CONNOLLY, | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | Civil Action No. 08-1927 (JR) |
| | : | |
| UNITED STATES OF AMERICA, et | : | |
| al., | : | |
| | : | |
| Defendants. | : | |

MEMORANDUM

This Court has considerable sympathy for the government lawyer who was assigned this case and who had to sort through and respond to the many rambling, prolix documents plaintiff has filed -- all of which seem to boil down to a complaint that, after all these years, background checks still turn up information about some trouble plaintiff got into when he was a young man, and that those background checks have interfered with his ability to get or to keep government employment. The government is entirely correct, (a) that its sovereign immunity has not been waived for plaintiff's tort claims, (b) that plaintiff's status as an independent contractor (and his former voluntary resignation as an alleged probationary employee of the Pension Benefit Guaranty Corporation) preclude relief; (c) that his complaints about background checks and security clearances are not justiciable; (d) that his complaints of "secret tribunals" and "concealed adjudication processes" (among others)

are fantastical and frivolous on their face; and (e) that his claims of Privacy Act violations, in so far as they can be understood, are defeated by waivers that he signed.

Plaintiff has demonstrated, in his copious filings and attempted filings in this Court, that he is deeply troubled by what he perceives to be his mistreatment by the government. He, too, has the sympathy of the Court. But he has not stated a claim upon which relief can be granted in this or any federal court. The government's motion to dismiss must be granted.

JAMES ROBERTSON
United States District Judge