

FILED

DEC 2 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHADNEY JERMAINE BROWN,

Plaintiff,

v.

UNITED STATES SUPREME COURT,

Defendant.

Civil Action No. 08 2070

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, who is serving a 45-year sentence in the custody of the Mississippi Department of Corrections, alleges that the Supreme Court since 1998 has refused to hear his case. It appears that plaintiff submitted a petition for a writ of certiorari and the Clerk of the Supreme Court returned his submission several times for correction of errors.

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: 4/28/08