

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

**KHARII W. BRODIE, individually and  
as parent and natural guardian of B.B.  
and S.B.,**

**Plaintiffs,**

**v.**

**KATHERINE WORTHINGTON, et al.,**

**Defendants.**

**Civil Action 09-01828 (HHK)**

**MEMORANDUM AND ORDER**

Plaintiff Kharii W. Brodie, proceeding *pro se*, brings this action seeking injunctive relief and compensatory and punitive damages against numerous individuals including the judicial officer who presided over his trial and post-trial proceedings<sup>1</sup> and judges who sit on the appellate tribunal<sup>2</sup> that considered the appeal of his convictions for wire fraud and conspiracy to make false statements to financial institutions to obtain mortgage loans (collectively, “judicial defendants”).

Before the Court are the judicial defendants’ motion to dismiss, pursuant to Rules 12(b)(1), (2), (5), and (6) of the Federal Rules of Civil Procedure [#33], and plaintiff’s objections to the Report and Recommendation of United States Magistrate Judge Deborah A. Robinson, which

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<sup>1</sup> United States District Judge Ellen Huvelle.

<sup>2</sup> United States Court of Appeals Judges David B. Sentelle, Douglas H. Ginsburg, Karen LeCraft Henderson, David S. Tatel, Merrick B. Garland, Janice Rogers Brown, Thomas B. Griffith, Brett M. Kavanaugh, and Arthur Raymond Randolph.

recommends that the motion be granted.<sup>3</sup> Upon consideration of the motion, the Report and Recommendation of Magistrate Judge Robinson, Brodie's objections to the Report and Recommendation, and the response thereto, the Court concludes that the motion should be granted for the reasons set forth by Magistrate Judge Robinson in her Report and Recommendation.<sup>4</sup> In sum, Brodie failed to properly serve these defendants and, in any event, they are entitled to judicial immunity.

Accordingly it is this 31st day of August, 2011, hereby

**ORDERED** that the judicial defendants' motion to dismiss [#33] is **GRANTED**.

Henry H. Kennedy, Jr.  
United States District Judge

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<sup>3</sup> This case is referred to Magistrate Judge Robinson for full case management. Referral for full case management means that pursuant to Rule 72.2(a) of the Rules of the United States District Court for the District of Columbia, the Magistrate Judge will determine any motion or matter that arises in this case other than those motions specified in Rule 72.3. With respect to any motion or matter specified in Rule 72.3, the Magistrate Judge will submit a report and a recommendation for the disposition of such motion or matter.

<sup>4</sup> The Court has considered the Magistrate Judge's Report and Recommendation *de novo*. LCvR 72.3(c).