

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

DEC - 9 2009

Clerk, U.S. District and
Bankruptcy Courts

Norman Abbott,

Plaintiff,

v.

Heather Trant,

Defendant.

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Civil Action No.

09 2337

MEMORANDUM OPINION

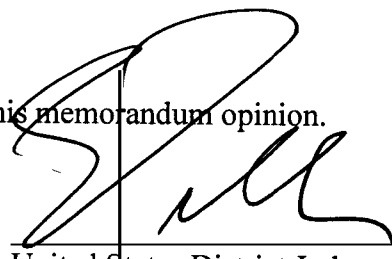
Before the Court is the plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The application will be granted and the complaint will be dismissed because it fails to state a claim upon which relief may be granted.

Plaintiff has filed a *Bivens* action, alleging that a clerk in the office of the Clerk of Court of the Supreme Court of the United States violated his civil rights by denying him access to the Supreme Court when she returned his submission with instructions and forms for filing a writ of certiorari. He further complains that the defendant interfered with his Seventh Amendment right to have his suit tried to a jury. He seeks compensatory and punitive damages from the clerk.

A clerk is generally immune from a suit for damages. *See Sindram v. Suda*, 986 F.2d 339 (D.C. Cir. 1992) (*per curiam*) (holding that "clerks, like judges, are immune from damage suits for performance of tasks that are an integral part of the judicial process"). Furthermore, the plaintiff has not stated a claim upon which relief may be granted, as he does not have a right to have his case heard in the Supreme Court of the United States.

A separate appropriate order accompanies this memorandum opinion.

Date: 12/3/09



United States District Judge