

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

NOV - 4 2010

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

Sammie Davis King Jr.

Plaintiff,

v.

Robert Moossy Jr. *et al.*,

Defendants.

Civil Action No.

10 1893

MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The application will be granted and the complaint will be dismissed pursuant to 28 U.S.C. § 1915A (requiring dismissal of a prisoner's complaint upon a determination that the complaint, among other grounds, fails to state a claim upon which relief can be granted).

Plaintiff is a prisoner confined at the Dodge State Prison in Chester, Georgia. Invoking 28 U.S.C. § 530B(a) and Fed. R. Civ. P. 11(c), plaintiff "request[s] that sanction[s] [] be imposed upon the defendants" for allegedly committing "an act of perjury and false misrepresentation to deter petitioner from his constitution[al] rights. . . ." Compl. at 4. Plaintiff also accuses defendants of false imprisonment and of violating his rights under the due process clause and the Fourth Amendment. *See* Compl. at 4-6. Presumably, the alleged misconduct occurred during plaintiff's 1997 criminal prosecution in Warren County, Georgia, in which the named defendants played no role. *See* Compl. Attach. 1 (defendants' response to plaintiff's letter of complaint to the Civil Rights Division of the Department of Justice's Criminal Section "post marked October 8, 2009"). In any event, § 530B(a) binds federal government attorneys to the same laws and rules

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“to the same extent and in the same manner as other attorneys in [the respective] State,” and Federal Rule 11(c) authorizes a judge presiding over a case to impose sanctions for counsel’s violations of Rule 11(b) in the particular case. Neither of the foregoing provisions authorizes an independent cause of action. A separate Order of dismissal accompanies this Memorandum Opinion.


United States District Judge

Date: November 3, 2010