

FILED

JUN 29 2011

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

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

MICHELLE B. BUSH,)
)
Plaintiff,)
)
v.)
)
DIRECTOR OF PERSONNEL FOR)
FINANCIAL MANAGEMENT SERVICES,)
)
Defendant.)

Civil Action No. **11 1198**

MEMORANDUM OPINION

This matter comes before the court on review of plaintiff's application to proceed *in forma pauperis* and *pro se* civil complaint. The court will grant the application, and dismiss the complaint.

Plaintiff purports to bring this action under the Privacy Act, *see* 5 U.S.C. § 552a(g)(1)(C), demanding that the defendant either verify or correct information contained in a personnel form documenting plaintiff's resignation in 1985. *See* Compl. at 3; *see id.*, Ex. (Request for Personnel Action effective August 9, 1985). "[T]o bring a claim under [5 U.S.C.] § 552a(g)(1)(C), [plaintiff] must show that: (1) [she] has been aggrieved by an adverse determination; (2) the [agency] failed to maintain [her] records with the degree of accuracy necessary to assure fairness in the determination; (3) the [agency's] reliance on the inaccurate records was the proximate cause of the adverse determination." *McCready v. Nicholson*, 465 F.3d 1, 10 (D.C. Cir. 2006) (quoting *Deters v. U.S. Parole Comm'n*, 85 F.3d 655, 657 (D.C. Cir. 1996) (emphasis removed)).

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Plaintiff does not allege facts addressing the elements of a Privacy Act claim, and, accordingly, her complaint will be dismissed.

An Order consistent with this Memorandum Opinion is issued separately.



United States District Judge

DATE:

6/20/11