

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

NOV 28 2011

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

JANET HOWARD,

Plaintiff,

v.

REBECCA M. BLANK, Acting Secretary,,
U.S. Department of Commerce,

Defendant.

Civil Action No.

11 2099

MEMORANDUM OPINION

This matter is before the Court on plaintiff's application to proceed *in forma pauperis* on a *pro se* complaint. The Court will grant the application, and will dismiss this action with prejudice.

Plaintiff's cause of action arises from the termination of her employment with the Bureau of Industry Security, Office of Enforcement Analysis, United States Department of Commerce, *see* Compl. ¶¶ 1, 5, 36, which allegedly occurred in violation of Title VII of the Civil Rights Act of 1964, as amended, *see* 42 U.S.C. § 2000e *et seq.*, 42 U.S.C. § 1981, and the Age Discrimination in Employment Act, *see* 29 U.S.C. § 621 *et seq.* Review of Court records reveals that plaintiff in a prior civil action has challenged, unsuccessfully, her termination. *See Howard v. Locke*, 729 F. Supp. 2d 85 (D.D.C. 2010) (granting as conceded defendant's motion for summary judgment). Under the doctrine of *res judicata*, this prior judgment on the merits of her discrimination claims bars her from relitigating the claims. *Allen v. McCurry*, 449 U.S. 90, 94 (1980); *I.A.M. Nat'l Pension Fund v. Indus. Gear Mfg. Co.*, 723 F.2d 944, 949 (D.C. Cir. 1983);

see Mitchell v. Bannum Place of Washington, D.C., Inc., 532 F. Supp. 2d 104, 106-07 (D.D.C. 2008). Accordingly, the Court will dismiss this action. An Order consistent with this Memorandum is issued separately on this same date.

DATE: *Nov. 15, 2011*

Betsy A. Hareo
United States District Judge