UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Tira Misu,

Plaintiff,

v.

Civil Action No. 11 2267

Department of Justice *et al.*,

Defendants.

MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant plaintiff's application and dismiss the complaint on the ground of *res judicata*.

Under the principle of *res judicata*, a final judgment on the merits in one action "bars any further claim based on the same 'nucleus of facts' . . . ." *Page v. United States*, 729 F.2d 818, 820 (D.C. Cir. 1984) (quoting *Expert Elec., Inc. v. Levine*, 554 F.2d 1227, 1234 (D.C. Cir. 1977)). *Res judicata* bars the relitigation "of issues that were or *could have been raised* in [the prior] action." *Drake v. FAA*, 291 F.3d 59 (D.C. Cir. 2002) (emphasis in original) (quoting *Allen v. McCurry*, 449 U.S. 90, 94 (1980)); *see I.A.M. Nat'l Pension Fund v. Indus. Gear Mfg. Co.*, 723 F.2d 944, 949 (D.C. Cir. 1983) (noting that *res judicata* "forecloses all that which might have been litigated previously").

Plaintiff is a resident of College Point, New York. She sues again the Department of Justice, the United States District Court, the State of New York, and two judges for defamation, slander, malicious prosecution, and discrimination and seeks $40 million in "punitive damages."

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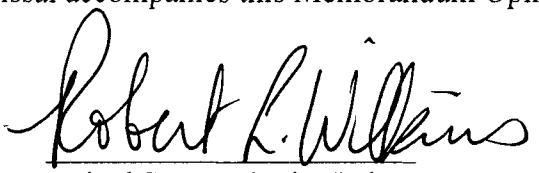
The one-page complaint stems from the two judges' orders and rulings. *See generally* Compl. The Court previously dismissed plaintiff's nearly identical complaint. *See Misu v. Dep't of Justice*, Civ. No. 09-1048 (D.D.C. June 5, 2009) (UNA) (Mem. Op.) [Doc. No. 3]. Therefore, this case is foreclosed. A separate Order of dismissal accompanies this Memorandum Opinion.



United States District Judge

Date: December 20, 2011