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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

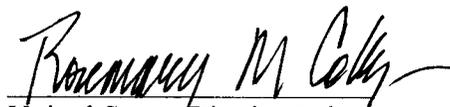
Lanet Renee Scott,)
)
 Plaintiff,)
)
 v.)
)
 U.S. Securities and Exchange Commission,)
)
 Defendant.)
 _____)

Civil Action No. **13 1039**

MEMORANDUM OPINION

This matter is before the Court on plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant plaintiff's application and dismiss the complaint for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3) (requiring dismissal of a case when jurisdiction is found wanting).

Plaintiff, a District of Columbia resident, alleges that the Securities and Exchange Commission wrongfully terminated her on November 29, 2012, based on the result of a background investigation that defendant allegedly cited as revealing "dishonest conduct." Compl. at 1. Since plaintiff is challenging the alleged non-suitability determination that formed the basis of her termination, her recourse lies exclusively in the remedial scheme of the Civil Service Reform Act of 1978, which requires adjudication of such claims by the Office of Personnel Management, appeal to the Merit Systems Protection Board, and judicial review by the U.S. Court of Appeals for the Federal Circuit. *Fornaro v. James*, 416 F.3d 63, 66 (D.C. Cir. 2005). A separate Order of dismissal accompanies this Memorandum Opinion.


United States District Judge

Date: January 3, 2013