

**FILED**

**JAN 23 2013**

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

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

CLYDE LACY RATTLER, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 DEPARTMENT OF HEALTH AND )  
 HUMAN SERVICES, *et al.*, )  
 )  
 Respondents. )

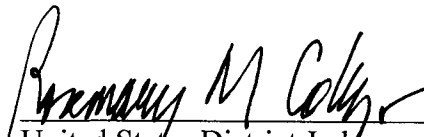
Civil Action No. **13 1094**

**MEMORANDUM OPINION**

This matter is before the Court on the petitioner’s application to proceed *in forma pauperis* and his *pro se* petition for a writ of mandamus. The Court will grant the application and dismiss the petition.

Although portions of petition are illegible, it is clear that petitioner demands a writ of mandamus directing “the human race to [sic] naked on the sidewalk unable to move their body for eternity.” Pet. at 2. Mandamus relief is proper only if “(1) the plaintiff has a clear right to relief; (2) the defendant has a clear duty to act; and (3) there is no other adequate remedy available to plaintiff.” *Council of and for the Blind of Delaware County Valley v. Regan*, 709 F.2d 1521, 1533 (D.C. Cir. 1983) (en banc). The party seeking mandamus has the “burden of showing that [his] right to issuance of the writ is ‘clear and indisputable,’ *Gulfstream Aerospace Corp. v. Mayacamas Corp.*, 485 U.S. 271, 289 (1988) (citing *Bankers Life & Cas. Co. v. Holland*, 346 U.S. 379, 384 (1953)), and this petitioner utterly fails to meet his burden. The petition therefore must be denied. An Order accompanies this Memorandum Opinion.

DATE: 17 January 2013

  
United States District Judge