

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAR - 4 2013

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

Cedric Wayne Bagby,)
)
Plaintiff,)
)
v.)
)
Sharon Y. Chu *et al.*,)
)
Defendants.)
_____)

Civil Action No. 13-0099

MEMORANDUM OPINION

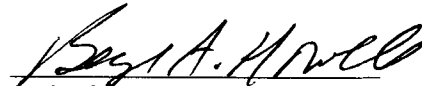
This matter is before the Court on review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant plaintiff's application to proceed *in forma pauperis* and will dismiss this action for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3) (requiring the court to dismiss an action "at any time" it determines that subject matter jurisdiction is wanting).

Plaintiff, a Texas state prisoner, sues three state court judges in Houston, Texas, and two prosecutors there. The complaint's allegations are vague but plaintiff appears to accuse the defendants of misconduct because his post-conviction motion was denied. Plaintiff wants this Court to review the decisions of the Texas court. *See* Compl. at 6-7.

Jurisdiction is wanting because a federal district court is not a reviewing court and, thus, lacks subject matter jurisdiction to review the decisions of a state court. *See* 28 U.S.C. §§ 1331, 1332 (general jurisdictional provisions); *Fleming v. United States*, 847 F. Supp. 170, 172 (D.D.C. 1994), *cert. denied* 513 U.S. 1150 (1995) (citing *District of Columbia Court of Appeals*

v. *Feldman*, 460 U.S. 462, 482 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415, 416 (1923)). A separate order of dismissal accompanies this Memorandum Opinion.

Date: February 21, 2013


United States District Judge