

FILED

FEB - 5 2013

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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Amun Ra Clark Bey,)
)
 Petitioner,)
)
 v.)
)
 State of Maryland *et al.*,)
)
 Respondents.)
 _____)

Civil Action No. **13 0148**

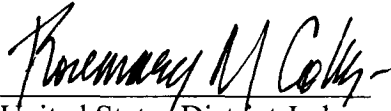
MEMORANDUM OPINION

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

Petitioner, a Maryland resident, seeks a writ to compel Chief Judge Ben C. Clyburn of the District Court of Maryland, “and/or Sheila R. Tillerson Adams,” Administrative Judge of Prince George’s County, Maryland, Circuit Court, to enforce a default judgment allegedly “filed on October 31, 2012 as the Writ of Discovery submitted was not honored.” Pet. at 2. Jurisdiction is wanting because the extraordinary writ of mandamus is available to compel an "officer or employee of the United States or any agency thereof to perform a duty owed to plaintiff," 28 U.S.C. § 1361, not the state actors listed in the instant petition. In addition, this Court lacks subject matter jurisdiction to review the decisions of a state court and, therefore, cannot compel enforcement of a state court judgment. *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: January 25, 2013


United States District Judge