

FILED

DEC 19 2013

**Clerk, U.S. District and
Bankruptcy Courts**

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

David Ezell Simpson,)
)
Plaintiff,)
)
v.)
)
Bureau of Prisons,)
)
Defendant.)

Civil Action No.

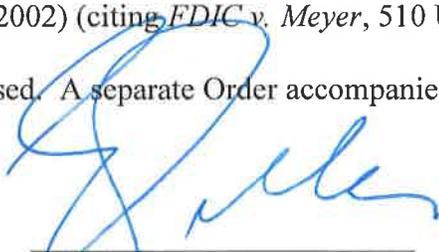
13-2015

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The application will be granted and the complaint will be dismissed pursuant to 28 U.S.C. § 1915A, which requires the Court to screen and dismiss a prisoner's complaint upon a determination that it fails to state a claim upon which relief may be granted.

Plaintiff is a prisoner at the Federal Correctional Institution in Butner, North Carolina. He claims that the U.S. Bureau of Prisons ("BOP") denied him due process by allegedly incarcerating him "for 36 months after full execution (detainer) supervised release violation on June 26, 2010." Compl. at 4. Plaintiff sues BOP under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), for \$300,000 in damages. However, "[i]t is . . . well settled that *Bivens* liability cannot be imposed on an agency of the Federal Government." *Drake v. FAA*, 291 F.3d 59, 72 (D.C. Cir. 2002) (citing *FDIC v. Meyer*, 510 U.S. 471, 475-79 (1994)). Hence, this action will be dismissed. A separate Order accompanies this Memorandum Opinion.

Date: December 6, 2013


United States District Judge

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