

FILED

JUN 26 2014

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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

David E. Hill,

Plaintiff,

v.

Rudolph Contreras *et al.*,

Defendants.

Civil Action No.

14-1075

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 United States Penitentiary in Florence, Colorado. He sues United States District Judge Rudolph Contreras, who is a member of this Court, and the Clerk of this Court for an action Judge Contreras allegedly took in plaintiff's dismissed case, *Hill v. Traxler*, No. 13-1037 (D.D.C. July 9, 2013), *aff'd*, No. 13-5240 (D.C. Cir. Dec. 27, 2013) (hereafter *Hill I*). Plaintiff seeks "nominal damages in the amount of \$500.00, punitive damages in the amount of \$20,000,000," and declaratory and injunctive relief. Compl. at 6-7.

Plaintiff alleges that Judge Contreras and the Clerk of Court refused to docket his motion for relief from judgment submitted on April 1, 2014. Compl. at 4-5. Not only are the defendants shielded from the damages claim by absolute immunity, *see Thanh Vong Hoai v. Superior Court for District of Columbia*, 344 Fed. Appx. 620 (D.C. Cir. 2009) (per curiam); *Sindram v. Suda*,

986 F.2d 1459, 1460 (D.C. Cir. 1993) (per curiam), but the docket in *Hill I* shows that plaintiff's motion was indeed filed on April 7, 2014, *see* Mot. for Relief from J. [Dkt. # 20], and was denied on May 21, 2014, *see* Order [Dkt. # 21]. Hence, any claim plaintiff may have for declaratory and injunctive relief is moot. A separate Order of dismissal accompanies this Memorandum Opinion.

Date: June 23, 2014


United States District Judge
J. Boush