

FEB 16 2016

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

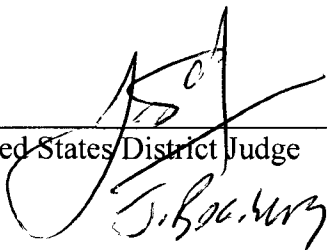
JURY ACTION

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Judges are absolutely immune from lawsuits arising from acts taken in their judicial capacity. *See Mirales v. Waco*, 502 U.S. 9, 11-12 (1991); *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). Because plaintiff's allegations against the Superior Court judges are based on their actions taken during eviction proceedings within their jurisdiction, *see* Compl. ¶¶ 15, 18, 20-28, immunity shields those defendants from this lawsuit. *Seitu v. District of Columbia*, 368 Fed. App'x 147 (D.C. Cir. 2010) (citing *Atherton v. District of Columbia Office of the Mayor*, 567 F.3d 672, 682 (D.C. Cir. 2009)).

Plaintiff sues three private defendants--the property management company, the property manager, and their attorney--essentially for bringing an alleged malicious landlord-tenant action. This Court lacks jurisdiction over that claim because (1) it does not present a federal question, *see* 28 U.S.C. § 1331, and (2) plaintiff and two of the private defendants reside in the District of Columbia, thereby foreclosing an action in diversity. *See id.* § 1332. Plaintiff's recourse against the private defendants lies, if at all, in D.C. Superior Court. Hence, dismissal of the complaint against those defendants will be without prejudice. A separate Order accompanies this Memorandum Opinion.

Date: February 12, 2016



United States District Judge