UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JAMES NERO,

Petitioner,

v.

UNITED STATES OF AMERICA, *et al.*,

Respondents.

Case: 1:16-cv-00984
Assigned To : Unassigned
Assign. Date : 5/24/2016
Description: Pro Se Gen. Civil (F Deck)

MEMORANDUM OPINION

This matter is before the Court on petitioner's application to proceed *in forma pauperis* and his *pro se* "Motion for Release from F.R.P. Payment Court Assessment to Late to be Activated More Than Five Years Expired from Date and Indigent Bankrupt Pro Se Petitioner." The Court construes petitioner's motion as a civil complaint and will dismiss it for the reasons stated below.

It appears that, in addition to a lengthy term of imprisonment, the Superior Court of the District of Columbia assessed petitioner costs of $7,500 under the Victims of Violent Crime Compensation Act payable from prison wages. *See* Compl., Ex. (Order Assessing Costs, *United States v. Nero*, No. F4366-99 (D.C. Super. Ct. Sept. 15, 2000)). Petitioner asks the Court to relieve him of this financial obligation because he has no prison job or other resources to pay the assessed costs. *See generally* Compl. at 2.

Petitioner's obligation arises by order of the Superior Court, and this Court has no authority to review, overturn, or otherwise alter a ruling of the Superior Court. *See Richardson*

v. District of Columbia Court of Appeals, 83 F.3d 1513, 1514 (D.C. Cir. 1996) (citing *District of Columbia v. Feldman,* 460 U.S. 462, 476 (1983) and *Rooker v. Fidelity Trust Co.,* 263 U.S. 413 (1923)). Furthermore, any challenge to a criminal sentence imposed by the Superior Court ordinarily must be filed in that court by motion under D.C. Code § 23-110. *See Alston v. United States*, 590 A.2d 511, 513 (D.C. 1991); *see also Williams v. Martinez*, 586 F.3d 995, 998 (D.C. Cir. 2009).

The Court will dismiss the complaint for lack of subject matter jurisdiction. An Order accompanies this Memorandum Opinion.

DATE: May 20, 2016

United States District Judge