

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

|                    |   |                                |
|--------------------|---|--------------------------------|
| Airrick Bey,       | ) |                                |
|                    | ) |                                |
| Petitioner,        | ) |                                |
|                    | ) | Case: 1:16-cv-01114 (F-Deck)   |
| v.                 | ) | Assigned To : Unassigned       |
|                    | ) | Assign. Date : 6/14/2016       |
| State of Michigan, | ) | Description: Pro Se Gen. Civil |
|                    | ) |                                |
| Respondent.        | ) |                                |

MEMORANDUM OPINION

Petitioner, proceeding *pro se*, has submitted a mandamus action against the State of Michigan. He seeks “to enforce the Default Judgment filed on 2/25/16 as the Writ of Discovery/ Averment of Jurisdiction . . . .” Pet. at 1. Petitioner lists a case number not of this Court. Petitioner’s accompanying application to proceed *in forma pauperis* will be granted for the purpose of dismissing this case. See 28 U.S.C. § 1915(e)(2)(B) (requiring dismissal of a case upon a determination that the complaint fails to state a claim upon which relief may be granted).

The extraordinary remedy of a 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. Petitioner bears a heavy burden of showing that his right to a writ of mandamus is “clear and indisputable.” *In re Cheney*, 406 F.3d 723, 729 (D.C. Cir. 2005) (citation omitted). This Court has no authority to issue the writ against the State of Michigan or to enforce the judgment of a court of that State. See *Noble v. Cain*, 123 Fed. Appx. 151, 152-53 (5th Cir. 2005) (per curiam) (“mandamus relief . . . is not available to federal courts to direct state officials in the performance of their duties and functions”) (citations omitted); *United States v. Choi*, 818 F. Supp. 2d 79, 85 (D.D.C. 2011) (district courts “generally lack[] appellate jurisdiction over other

judicial bodies, and cannot exercise appellate mandamus over other courts”) (citing *Lewis v. Green*, 629 F. Supp. 546, 553 (D.D.C. 1986)). Hence, this case will be dismissed with prejudice. A separate order accompanies this Memorandum Opinion.

  
United States District Judge

Date: June 10, 2016