UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

JUL 1 9 2017

Clerk, U.S. District & Bankruptcy Courts for the District of Columbia

| Antoine D. DeGrate, |) |
|---------------------|----------------------------------|
| Plaintiff, |)) |
| V. |) Civil Action No. 16-2266 (UNA) |
| Scott Harris, |) |
| Defendant. |) |

MEMORANDUM OPINION

This matter is before the court on its review of plaintiff's *pro se* complaint and application for leave to proceed *in forma pauperis*. For the reasons explained below, the *in forma pauperis* application will be granted and this case will be dismissed pursuant to 28 U.S.C. § 1915A, which requires immediate dismissal of a prisoner's complaint that fails to state a claim upon which relief can be granted.

Plaintiff, a Texas state prisoner incarcerated in Beaumont, Texas, has sued the Clerk of the United States Supreme Court for allegedly failing to notify him in a timely manner of the disposition of his petition for a writ of certiorari. Plaintiff seeks injunctive relief.

The Supreme Court "has inherent [and exclusive] supervisory authority over its Clerk." *In re Marin*, 956 F.2d 339, 340 (D.C. Cir. 1992) (per curiam). Therefore, "a lower court may [not] compel the Clerk of the Supreme Court to take any action." *Id.*; *see Panko v. Rodak*, 606 F.2d 168, 171 n.6 (7th Cir. 1979), *cert. denied*, 444 U.S. 1081 (1980) ("It seems axiomatic that a

lower court may not order the judges or officers of a higher court to take an action."). Hence, this case will be dismissed. A separate order accompanies this Memorandum Opinion.

Date: July **/?**, 2017

Tang United States District Judge