

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ALEXANDER BALLARD,)	
)	
Plaintiff,)	
)	
v.)	Case: 1:17-cv-00043 Jury Demand
)	Assigned To : Unassigned
)	Assign. Date : 1/10/2017
UNITED STATES OF AMERICA,)	Description: Pro Se Gen. Civil (F Deck)
)	
Defendant.)	
)	

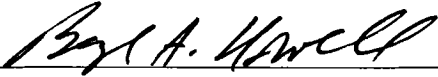
MEMORANDUM OPINION

This matter is before the Court on plaintiff’s application to proceed *in forma pauperis* and his *pro se* complaint. It appears that plaintiff, who faces criminal charges in the Superior Court of the District of Columbia, brings this action in order to obtain classified information which will prove his innocence. Although he is represented by counsel in the criminal case, he also asks that he “be appointed a lawyer . . . immediately and that [he] be advised properly by that lawyer.” Compl. at 8.

“[A] federal court may dismiss an action when there is a direct conflict between the exercise of federal and state jurisdiction and considerations of comity and federalism dictate that the federal court should defer to the state proceedings.” *Hoai v. Sun Refining and Marketing Co., Inc.*, 866 F.2d 1515, 1517 (D.C. Cir. 1989) (citing *Younger v. Harris*, 401 U.S. 37, 43-45 (1971)). This is such an action. See *Miranda v. Gonzales*, 173 F. App’x 840 (D.C. Cir.) (per curiam) (“It is well-settled . . . that a court will not act to restrain a criminal prosecution if the moving party has an adequate remedy at law and will not suffer irreparable injury if denied

equitable relief.”) (citation omitted), *cert. denied*, 549 U.S. 889 (2006); *see Smith v. Holder*, No. 14-131, 2014 WL 414292, at *1 (D.D.C. Jan. 30, 2014), *aff’d*, 561 F. App’x 12 (D.C. Cir. June 16, 2014) (per curiam) (noting appellant’s failure to “show[] that the district court erred in dismissing his challenge to pending District of Columbia criminal proceedings under the abstention doctrine of *Younger v. Harris*”). Given “the fundamental policy against federal interference with state criminal prosecutions,” *Younger*, 401 U.S. at 46, the Court will dismiss this action. An Order accompanies this Memorandum Opinion.

DATE: *Jan. 9, 2017*



United States District Judge