

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

TASHA DENISE BONNER,

Plaintiff,

v.

JUDGE JOHN F. McCABE,

Defendant.

Case: 1:17-cv-00568 (F-Deck)  
Assigned To : Unassigned  
Assign. Date : 3/29/2017  
Description: Pro Se Gen. Civil Jury Demand

**MEMORANDUM OPINION**

This matter is before the Court on the plaintiff's application to proceed *in forma pauperis* and her *pro se* complaint. The Court grants the application and dismisses the complaint with prejudice.

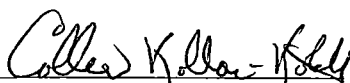
The plaintiff appeared before Judge McCabe for an emergency hearing regarding custody of her minor child. Compl. at 1. Judge McCabe allegedly "violated [the] custody order and rendered the . . . child to [the] minor child's father." *Id.* The child was removed from her mother's custody in June 2015 "and never returned," and the next court date is in May 2017. *Id.* at 2. The plaintiff alleges violations of her and her child's constitutional rights, *see id.* at 1, 2, and demands damages in the amount of \$2.6 million, *id.* at 2.

Judge McCabe enjoys absolute immunity from liability for damages for acts taken in his judicial capacity. *See Mirales v. Waco*, 502 U.S. 9 (1991) (finding that "judicial immunity is an immunity from suit, not just from ultimate assessment of damages"); *Forrester v. White*, 484 U.S. 219, 226-27 (1988) (discussing "purposes served by judicial immunity from liability in

damages”); *Stump v. Sparkman*, 435 U.S. 349, 364 (1978) (concluding that state judge was “immune from damages liability even if his [decision] was in error”); *Pierson v. Ray*, 386 U.S. 547, 553-54 (1967) (“Few doctrines were more solidly established at common law than the immunity of judges from liability for damages for acts committed within their judicial jurisdiction, as this Court recognized when it adopted the doctrine, in *Bradley v. Fisher*, 13 Wall. 335, 20 L. Ed. 646 (1872).”). Accordingly, the Court will dismiss this action with prejudice. *See* 28 U.S.C. § 1915(e)(2)(B)(iii).

An Order consistent with this Memorandum Opinion is issued separately.

DATE: March 27, 2017

  
United States District Judge