

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLOMBIA

Trevin Nunnally, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 Administrative Office of U.S. Courts, )  
 Director, )  
 )  
 Defendant. )

Case: 1:17-cv-00972 F Deck  
Assigned To : Unassigned  
Assign. Date : 5/23/2017  
Description: Pro Se Gen. Civil Jury Demand

Civil Action No.

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.

"A complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). Plaintiff is a federal prisoner incarcerated in Yazoo, Mississippi. He sues the Director of the Administrative Office of the United States Courts ("AO Director") in "his individual, official & federal judicial capacity as a judicial officer or federal employee." Compl. Caption. Plaintiff alleges that an "illegal arrest warrant . . . was used to illegally incarcerate [him] without probable cause." Compl. at 6. He seeks his release and "proper compensation." *Id.*

Plaintiff contends that the AO Director supervises the United States magistrate judge who allegedly issued the arrest warrant. *See* Compl. Attach., Supp’g Mem. at 1-2. He is mistaken. Magistrate judges are supervised by the U.S. district judges who appoint them, *see* 28 U.S.C. § 631, whereas the AO Director is “the administrative officer of the courts, and [is] under the supervision and direction of the Judicial Conference of the United States.” 28 U.S.C. § 604(a). The AO Director “do[es] not exercise judicial power in the constitutional sense of deciding cases and controversies, but [shares] the common purpose of providing for the fair and efficient fulfillment of responsibilities that are properly within the province of the Judiciary.” *Doggett v. Gonzales*, No. 06-0575, 2007 WL 2893405, at \*4 (D.D.C. Sept. 29, 2007) (quoting *Mistretta v. United States*, 488 U.S. 361, 389 (1989) (brackets in original)). Consequently, the court concludes that plaintiff has failed to state claim against the AO Director. A separate order of dismissal accompanies this Memorandum Opinion.

Date: May 19, 2017

  
United States District Judge