UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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STEVEN H. HALL,	
Plaintiff,)
v.	Civil Action No. 17-cv-1469 (TSC)
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,)))
Defendant.))

MEMORANDUM OPINION

Pro se Plaintiff Steven Hall is a disabled veteran who was employed by the Department of Homeland Security (DHS). (Compl. ¶ 1). In 2012, he successfully filed a claim for workers' compensation benefits with the Department of Labor. (Id. p. 2) After receiving \$30,000 in benefits, DHS challenged the workers' compensation award and Hall's benefits were rescinded. (Id.) He filed a complaint with the DHS internal Equal Employment Opportunity ("EEO") office, and it appears that the EEO office determined his complaint was untimely. (Id.) Hall challenged that finding by filing a "workers' compensation and employment discrimination" complaint with the Equal Employment Opportunity Commission ("EEOC"), which affirmed the agency's decision. (Id. ¶ 4).

In this lawsuit, Hall asserts "workers' compensation and employment discrimination" claims against the EEOC pursuant to Title VII 42 U.S.C. 2000e, Section 501 of the Rehabilitation Act, 29 U.S.C. § 794, and the Americans with Disabilities Act (ADA), 42 U.S.C.

§§ 12101-12213 (2013) (amended 2008). (Compl. p. 1). Hall alleges that the EEOC violated

these federal laws by ignoring evidence, losing evidence and falsely determining that his DHS

EEO complaint was untimely. (Compl. ¶¶ 3, 4a, 4c; id. p. 8).

"[N]o cause of action against the EEOC exists for challenges to its processing of a

claim." Smith v. Casellas, 119 F.3d 33, 34 (D.C. Cir. 1997) (per curiam). Rather, "Congress

intended the private right of action . . . under which an aggrieved employee may bring a Title VII

action directly against his or her employer [] to serve as the remedy for any improper handling of

a discrimination charge by the EEOC." Id. (citing 42 U.S.C. § 2000e-5(f)(1)). Therefore, the

court will dismiss this case by separate order.

To the extent Hall wishes to amend his Complaint to assert claims against his employer

and to include the factual biases for his discrimination claims, he may file a motion to reopen this

case and amend his Complaint by October 20, 2017.

The Clerk of the Court shall mail a copy of this order to:

STEVEN H. HALL

7141 Chesapeake Village Blvd

Chesapeake Beach, MD 20732

Date: September 15, 2017

Tanya S. Chutkan TANYA S. CHUTKAN

United States District Judge

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