

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

RYAN SAMUEL SMITH,

Plaintiff,

v.

LYDIA KAY GRIGGSBY,

Defendant.

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Case No. 18-cv-00742 (APM)

MEMORANDUM OPINION

In this action removed from D.C. Superior Court, Plaintiff Ryan Smith brings suit against The Honorable Lydia Kay Griggsby, a judge on the United States Court of Claims. The United States has properly substituted itself as defendant for Judge Griggsby. *See* 28 U.S.C. § 2679(d)(1). The United States moves to dismiss on a host of grounds under Rule 12 of the Federal Rules of Civil Procedure. *See* Def.'s Mot. to Dismiss, or in the Alternative, for Summ. J., ECF No. 6. The court issued a *Fox* order to Plaintiff on August 23, 2018, *see* Order, ECF No. 7, but Plaintiff did not file a response. The United States' Motion is granted for a host of reasons.

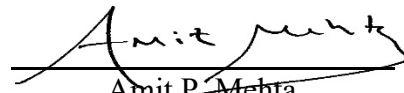
First, this court lacks personal jurisdiction over Judge Griggsby, as Plaintiff has not served her personally as required under Rule 4(i). *See Simpkins v. District of Columbia Gov't*, 108 F.3d 366, 368–69 (D.C. Cir. 1997). Service by mail to her office is not sufficient. *See Khan v. Holder*, 134 F. Supp. 3d 244, 251 (D.D.C. 2015). Likewise, Plaintiff has not properly served the United States under Rule 4(i). Accordingly, this case is dismissed pursuant to Rule 12(b)(5).

Second, Judge Griggsby, and hence the United States, is absolutely immune from suit for any claim arising out of her dismissal of Plaintiff's action before the Federal Court of Claims. *See Mitchell v. Forsyth*, 472 U.S. 511, 526 (1985); 28 U.S.C § 2674.

Finally, Plaintiff fails to state a claim. *See* Fed. R. Civ. P. 12(b)(6). Plaintiff's Complaint is inscrutable: "Proceed within federal claim 17-793c. Illegal communication by Interfere. Proper personnel to motion forward and bring forth all information." Compl., ECF No. 1-1. He therefore fails to satisfy even the minimum pleading standard of Rule 8.

For the foregoing reasons, Defendant's Motion to Dismiss is granted, and the court dismisses this action. A separate final, appealable order accompanies this Memorandum Opinion.

Dated: December 10, 2018


Amit P. Mehta
United States District Judge