

**Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia**

Defendant.

Civil Action No. 19-1347 (UNA)

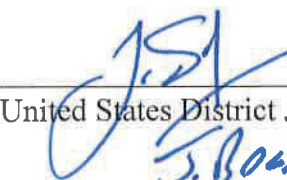
This matter is before the Court on consideration of the plaintiff's application to proceed *in forma pauperis* and his *pro se* complaint. Generally, the plaintiff alleges that the Equal Employment Opportunity Commission ("EEOC") has failed to investigate his claims of discrimination and has mishandled his cases. The Court will dismiss the complaint for its failure to state a claim on which relief may be granted. *See* 28 U.S.C. § 1915(e)(2)(B)(ii).

“Congress has not authorized, either expressly or impliedly, a cause of action against the EEOC for the EEOC’s alleged negligence or other malfeasance in processing an employment discrimination charge.” *Smith v. Casellas*, 119 F.3d 33, 34 (D.C. Cir.) (per curiam), *cert. denied*, 522 U.S. 958 (1997); *McCottrell v. Equal Employment Opportunity Comm’n*, 726 F.2d 350, 351 (7th Cir. 1984) (“It is settled law, in this and other circuits, that Title VII does not provide either an express or implied cause of action against the EEOC to challenge its investigation and processing of a charge.”); *Brown v. Berrein*, 923 F. Supp. 2d 43, 43 (D.D.C. 2013) (dismissing complaint against EEOC for having dismissed plaintiff’s charge of discrimination as untimely without taking his disability into account); *see Koch v. White*, 967 F. Supp. 2d 326, 336 (D.D.C.

2013) (concluding that there is no cause of action for improper handling of a complaint by the EEO office of a federal agency, which provides a function analogous to the EEOC).

An order is issued separately.

DATE: June 12, 2019

  
United States District Judge  
J. S. Boudreau