

FILED

OCT 31 2019

Clerk, U.S. District and
Bankruptcy Courts

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

DARRYL MCGORE,)	
)	
Plaintiff,)	
v.)	Civil Action No. 1:19-cv-02806 (UNA)
)	
U.S. SUPREME COURT JUSTICES,)	
)	
Defendants.)	

MEMORANDUM OPINION

This matter is before the court on its initial review of plaintiff's *pro se* complaint and application for leave to proceed *in forma pauperis* ("IFP"). The court will grant the IFP application and dismiss the case for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3).

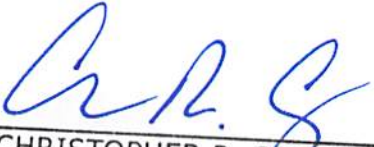
Plaintiff is a prisoner designated to Baraga Correctional Facility, located in Baraga, Michigan. He alleges that his constitutional rights have been violated due to the denial of his attempts to proceed before the United States Supreme Court, and as a result, he now sues the Supreme Court Justices. He asks that this court "reopen the U.S. Supreme Court decisions."

This court lacks subject matter jurisdiction over matters arising from the decisions of the Supreme Court. *In re Marin*, 956 F.2d 339 (D.C. Cir. 1992); *see* 28 U.S.C. §§ 1331, 1332 (general jurisdictional provisions); *Panko v. Rodak*, 606 F. 2d 168, 171 n.6 (7th Cir. 1979) ("[I]t seems axiomatic that a lower court may not order the judges or officers of a higher court to take an action."), *cert. denied*, 444 U.S. 1081 (1980); *United States v. Choi*, 818 F. Supp. 2d 79, 85 (D.D.C. 2011) (stating that federal district courts "generally lack[] appellate jurisdiction over other judicial bodies, and cannot exercise appellate mandamus over other courts") (citing *Lewis v. Green*, 629 F. Supp. 546, 553 (D.D.C. 1986)); *Fleming v. United States*, 847 F. Supp. 170, 172 (D.D.C. 1994)

(applying *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 482 (1983), and *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415, 416 (1923)), *aff'd*, No. 94-5079, 1994 WL 474995 (D.C. Cir. 1994), *cert. denied*, 513 U.S. 1150 (1995).

Plaintiff has thus failed to establish subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3). As a result, this case is dismissed. A separate order of dismissal accompanies this memorandum opinion.

Date: October 31, 2019


CHRISTOPHER R. COOPER
United States District Judge
United States District Judge