

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 08 2019

Clerk, U.S. District and
Bankruptcy Courts

EDWARD THOMAS KENNEDY,)
)
Plaintiff,)
)
v.)
)
UNITED STATES COURTS, *et al.*,)
)
Defendants.)

Civil Action No. 19-2825 (UNA)

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* Complaint, which is accompanied by an application to proceed *in forma pauperis*. The Court will grant the application and dismiss the complaint.

Plaintiff filed a complaint against the Commissioner of Social Security in June 2018. Compl. ¶ 26. According to plaintiff, defendant Barkman, Clerk of the United States District Court for the Eastern District of Pennsylvania, refused to enter default, *id.* ¶ 29, and thereby violated federal statutes and the Fourth and Fourteenth Amendments to the United States Constitution, *see generally id.* ¶¶ 45-69. In addition, defendants also committed "trespass on the case," intentional and negligent infliction of emotional distress, and abuse of process. *See id.* ¶ 76. Plaintiff demands compensatory damages of \$250,000 plus punitive damages.

The immunity that judges enjoy, *see Mirales v. Waco*, 502 U.S. 9 (1991), extends to clerks of court performing "tasks that are an integral part of the judicial process." *Sindram v. Suda*, 986 F.2d 1459, 1460 (D.C. Cir. 1993); *Evans v. Suter*, 260 F. App'x 726 (5th Cir. 2007) (per curiam), *cert. denied*, 552 U.S. 1282 (2008). Because it appears that the alleged constitutional violations committed by the defendant Barkman occurred in the course of the

performance of judicial functions, judicial immunity protects her from suit. *See, e.g., Jones v. U.S. Supreme Court*, No. 10-0910, 2010 WL 2363678, at *1 (D.D.C. June 9, 2010) (concluding that court clerks are immune from suits for damages arising from activities such as the “receipt and processing of a litigant’s filings”), *aff’d*, 405 F. App’x 508 (D.C. Cir. 2010), *aff’d*, 131 S. Ct. 1824 (2011).

The Court grants plaintiff’s application to proceed *in forma pauperis* and dismisses the complaint and this civil action. An Order is issued separately.

DATE: October 7, 2019


CHRISTOPHER R. COOPER
United States District Judge