

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

Sandra Castro,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 20-0585 (UNA)
)	
Party City of Bailey's Crossroads, Inc.,)	
)	
Defendant.)	

MEMORANDUM OPINION

This plaintiff filed a civil action last year following the Virginia Employment Commission's decision to deny her application for unemployment benefits. The Court dismissed the complaint without prejudice for lack of subject matter jurisdiction. *See Castro v. Party City of Bailey's Crossroads, Inc.*, No. 1:19-cv-1598 (D.D.C. June 12, 2019). The plaintiff appealed, and the United States Court of Appeals for the District of Columbia Circuit dismissed the appeal for lack of prosecution. *See Castro v. Party City of Bailey's Crossroads, Inc.*, No. 17-7115 (D.C. Cir. Jan. 22, 2020). Now before the Court is the plaintiff's new complaint which, in essence, is an effort to pursue the appeal. The D.C. Circuit's dismissal of the plaintiff's prior appeal is a matter over which this Court lacks jurisdiction. *See, e.g., 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.").

The Court will grant the plaintiff's application to proceed *in forma pauperis* and will dismiss the complaint and this civil action without prejudice for lack of subject matter jurisdiction. An Order is issued separately.

DATE: April 23, 2020

AMY BERMAN JACKSON
United States District Judge