

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

5/18/2020  
Clerk, U.S. District & Bankruptcy  
Court for the District of Columbia

CEDRICK EURON DRAPER,

*Plaintiff,*

v.

U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

*Defendant.*

Civil Action No. 1:20-cv-01185 (UNA)


**MEMORANDUM OPINION**

This matter is before the Court on its initial review of Plaintiff's *pro se* Complaint Request for Injunction ("Compl."), ECF No. 1, and Application to Proceed in District Court Without Prepaying Fees or Costs, ECF No. 2. The application will be granted, and this case will be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

In *in forma pauperis* proceedings like this one, a court must dismiss a case "at any time" it determines that the Complaint fails to state a claim upon which relief can be granted. *Id.* Plaintiff has sued the U.S. Equal Employment Opportunity Commission (EEOC) for the alleged procedure in which it ultimately dismissed his discrimination claim that he had lodged against his employer. *See* Compl. ¶ III (alleging misrepresentation and negligence in the intake process). But "no cause of action against the EEOC exists for challenges to its processing of a claim." *Smith v. Casellas*, 119 F.3d 33, 34 (D.C. Cir. 1997) (per curiam) (dismissing claims of negligence, fraud, and impropriety in processing). Rather, "Congress intended the private right of action . . . under which an aggrieved employee may bring a Title VII action directly against his or her employer [] to serve as the remedy for any improper handling of a discrimination

charge by the EEOC.” *Id.* (citing 42 U.S.C. § 2000e-5(f)(1)). Plaintiff therefore fails to state a claim, and accordingly, the Court dismisses this case. A separate Order accompanies this Memorandum Opinion.

DATE: May 18, 2020

  
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CARL J. NICHOLS  
United States District Judge