

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

AUG 27 2021

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

BRETT ANDREW NELSON,

Petitioner,

v.

ASHLEY MORGAN BURGEMEISTER, *et al.*,

Respondents.

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) Civil Action No. 21-2264 (UNA)
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MEMORANDUM OPINION

This matter is before the Court on review of this *pro se* petitioner's application to proceed *in forma pauperis* and his Motion to Confirm the Unchallenged Arbitration Award (ECF No. 1, "Pet."). Petitioner asserts that he and the respondents entered into a contract on May 23, 2018, which provided that the parties would submit to an arbitration process if a dispute arose. *See* Pet. ¶¶ 1-2. According to petitioner, there was a dispute prompting him to initiate arbitration proceedings in October 2019, and an arbitrator issued a decision on November 27, 2019 in his favor. *See id.* ¶¶ 2-4. This is not petitioner's first effort to enforce the same arbitration agreement.

Petitioner filed a petition in the United States District Court for the Middle District of Georgia demanding enforcement of the same arbitration agreement as against the same respondents. *See Nelson v. Jackson*, No. 3:20-cv-0028 (M.D. Ga. Feb. 24, 2020). That court granted respondents' motion to dismiss the petition, as amended, for failure to state a claim upon which relief can be granted. *See Nelson v. Jackson*, No. 3:20-cv-0028 (M.D. Ga. Jan. 26, 2021), *appeal docketed*, No. 21-10440 (11th

Cir. Feb. 8, 2021). In addition, petitioner filed a civil action in this federal district court for the purpose of enforcing the same arbitration agreement, and this Court dismiss the petition on the ground that petitioner's claims were duplicative and therefore barred. *See Nelson v. Burgemeister*, No. 1:21-CV-1168 (D.D.C. May 17, 2021), *appeal docketed*, No. 21-7058 (D.C. Cir. June 7, 2021). Yet another review of the same claims is not warranted.

The Court concludes that this civil action is duplicative and must be dismissed. A separate Order will issue to grant petitioner's application to proceed *in forma pauperis* and dismiss the petition.

/s/
EMMET G. SULLIVAN
United States District Judge

DATE: August 27, 2021