UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

ALLAN D. SCHUBERT,)
Plaintiff,))
v.) Civil Action No. 22-1484 (UNA)
LISA NESBITT, Assistant Clerk, U.S. Supreme Court,)))
et al.,)
Defendants.)

MEMORANDUM OPINION

This matter is before the Court on its initial review of Plaintiff's *pro se* Complaint, Dkt. 1, and application for leave to proceed *in forma pauperis*, Dkt. 2. The Court will grant the *in forma pauperis* application and dismiss the case pursuant to 28 U.S.C. § 1915A (requiring dismissal of a prisoner's action upon a determination that the complaint fails to state a claim upon which relief may be granted).

Plaintiff, a federal prisoner, has sued the Clerk of the U.S. Supreme Court and two Assistant Clerks. He alleges that the defendants denied him access to the courts by "refus[ing] to file [his] writ of certiorari . . . because it was one day late." Compl. at 4. Plaintiff seeks an order compelling his writ to be filed. *See id.* at 8-9. This lower federal court may not "compel the Clerk of the Supreme Court to take any action." *In re Marin*, 956 F.2d 339, 340 (D.C. Cir. 1992) (per curiam). Such is the exclusive province of the Supreme Court, which "has inherent supervisory authority over its Clerk." *Id.* Therefore, this case will be dismissed by separate order.

DABNEY L. FRIEDRICH
United States District Judge

Date: June 16, 2022