

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

ROGER SHEKAR,

Plaintiff,

v.

JAMES DUFF, *et al.*,

Defendants.

Civil Action No. 22-cv-2123 (UNA)

MEMORANDUM OPINION

The Court construes the Complaint as challenging three court Orders. First, Plaintiff's ability to file cases *pro se* in the United States District Court for the Northern District of Illinois is substantially restricted by an order in that district. *See* Executive Committee Order, *In re Shekar*, No. 1:12-cv-1698 (N.D. Ill. Mar. 12, 2012). Second, Plaintiff must sign in and be escorted by a federal marshal at both the Dirksen U.S. Courthouse in Chicago, Illinois, and the Roszkowski U.S. Courthouse in Rockford, Illinois. *See* Executive Committee Order, *In re Shekar*, No. 1:12-cv-1698 (N.D. Ill. Jan. 15, 2019). Third, Plaintiff may not proceed before the United States Court of Appeals for the Seventh Circuit until he pays outstanding filing fees and sanctions. *See* Order at 2, *Shekar v. Ocwen Loan Serv., LLC*, No. 19-1122 (7th Cir. July 10, 2019).

The Court first reviews Plaintiff's Motion for an CM/ECF password. *See generally* ECF No. 3 (Motion for CM/ECF Password). Per the Local Civil Rules of this District, a *pro se* party seeking a CM/ECF password must obtain leave of Court, and their motion seeking leave must "describe[e] the party's access to the internet, confirm[] the capacity to file documents and

receive filings electronically on a regular basis, and certify[] that he or she either has successfully completed the entire Clerk's Office on-line tutorial or has been permitted to file electronically in other federal courts." See LCvR 5.4(b)(2). Plaintiff's Motion asks only that he be granted "leave to file documents electronically" and have "permission for e-file." *Id.* at 1. Because he has not satisfied the required elements of Local Civil Rule 5.4(b)(2), the Court denies his Motion to obtain a CM/ECF password without prejudice.

Next, the Court assesses the Complaint and concludes that it fails to state a claim upon which relief can be granted. In his Complaint, Plaintiff complains about every member of the federal judiciary — judges, clerks and administrators included — who he believes have crossed him. His claims are barred, however, as absolute judicial immunity protects the judges, clerks, and administrators from suit. See *Mirales v. Waco*, 502 U.S. 9, 9 (1991); *Stump v. Sparkman*, 435 U.S. 349, 364 (1978) (concluding that state judge was "immune from damages liability even if his [decision] was in error"); *Hurt v. Clerks, Superior Court of District of Columbia*, No. 06-cv-5308, 2006 WL 3835759, at *1 (D.C. Cir. Dec. 22, 2006) (per curiam); *Sindram v. Suda*, 986 F.2d 1459, 1460–61 (D.C. Cir. 1993).

Plaintiff is no more successful in demanding relief from other courts' orders, as this Court cannot review or overturn the rulings of a Circuit court or sister district court. See, e.g., *Petrovic v. United States*, No. 1:19-cv-00482, 2019 WL 1746301, at *2 (D.D.C. Apr. 17, 2019); *United States v. Choi*, 818 F. Supp. 2d 79, 85 (D.D.C. 2011) (citing *Lewis v. Green*, 629 F. Supp. 546, 553 (D.D.C. 1986)); *Fleming v. United States*, 847 F. Supp. 170, 172 (D.D.C. 1994) (applying *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 482 (1983), and *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415, 416 (1923)).

Lastly, this Court cannot initiate a criminal prosecution. The decision to investigate or to prosecute a particular case is left to the Executive Branch of the government, not the judiciary. *See Heckler v. Chaney*, 470 U.S. 821, 831 (1985) (stating that “an agency’s decision not to prosecute or enforce, whether through civil or criminal process, is a decision generally committed to an agency’s absolute discretion”); *United States v. Nixon*, 418 U.S. 683, 693 (1974) (reiterating that the Executive Branch “has exclusive authority and absolute discretion to decide whether to prosecute a case”).

The Court therefore will grant Plaintiff’s application to proceed *in forma pauperis*, deny the motion for CM/ECF password, and will the dismiss the Complaint and this civil action. A separate Order will issue this day.

FLORENCE Y. PAN
United States District Judge

Date: August 2, 2022