

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

ANSERA BENET DUPREE JR.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 23-0819 (UNA)
)	
JUDGE JAMES HORWITZ,)	
)	
Defendant.)	

MEMORANDUM OPINION

This matter is before the Court on plaintiff’s application to proceed *in forma pauperis* (ECF No. 2), motion for hearing (ECF No. 4), and his *pro se* complaint (ECF No. 1). The Court grants the application, denies the motion, and for the reasons discussed below, dismisses the complaint.

Plaintiff purports to bring this civil rights action under 42 U.S.C. § 1983 against the judge presiding over a matter in a Texas court. Plaintiff alleges he was arrested, involuntarily taken to a mental institution, and administered medication without his consent, presumably pursuant to a Judge Horwitz’s order. Because he had been committed involuntarily, plaintiff states, the Texas Department of Public Safety has denied him a handgun permit. Plaintiff demands compensation for emotional distress, pain and suffering, among other relief.

“Few doctrines were more solidly established at common law than the immunity of judges from liability for damages for acts committed within their judicial jurisdiction[.]” *Pierson v. Ray*, 386 U.S. 54s7, 553–54 (1967). Here, it appears, Judge Horwitz was acting in his judicial capacity when he issued the order(s) plaintiff deems objectionable, and absolute judicial immunity protects him from suit. *See Mirales v. Waco*, 502 U.S. 9 (1991) (finding that “judicial immunity is an immunity from suit, not just from ultimate assessment of damages”); *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”); *Fuller v. Mott*, No. 1:14-cv-0711, 2014 WL 1688038, at *1 (D.D.C. Apr. 23, 2014) (dismissing claim for damages against Superior Court judge because he enjoys absolute immunity).

An Order is issued separately.

DATE: April 12, 2023

/s/
TANYA S. CHUTKAN
United States District Judge