UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

ALLEN F. CALTON,)
Petitioner,)
v.) Civil Action No. 23-01399 (ABJ)
SCOTT S. HARRIS,)
Respondent.)))

MEMORANDUM OPINION

Petitioner Allen F. Calton is a Texas state prisoner appearing *pro se*. He seeks a writ of mandamus against the Clerk of the U.S. Supreme Court, who allegedly has refused to file petitioner's "original jurisdiction habeas petition under 28 U.S.C. § 2241 to Justice Alito" and to accept his \$300.00 filing fee. Pet., ECF No. 1 at 3. As petitioner admits, "the clerk has made clear that [the] papers" were rejected because "the Supreme Court rules make no provision for the filing of a petition for an extraordinary writ addressed to an individual Justice." *Id.* at 4, citing Ex. A.

Regardless of the reason, "supervisory responsibility" over the Clerk "is exclusive to the Supreme Court" and "neither a district court nor a circuit court of appeals has jurisdiction to interfere with it by mandamus or otherwise." *In re Marin*, 956 F.2d 339, 340 (D.C. Cir. 1992) (per curiam). So, this case will be dismissed by separate order for want of jurisdiction. *See id.* (affirming "the district court's order dismissing Marin's complaint for lack of subject matter jurisdiction"); Fed. R. Civ. P. 12 (h)(3) (requiring dismissal of the action "at any time" the court determines that it lacks subject-matter jurisdiction).

AMY BERMAN JACKSON United States District Judge

DATE: May 23, 2023