

FILED

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

NOV 08 2007

NANCY MAYER WHITTINGTON, CLERK U.S. DISTRICT COURT

Gwendolyn M. Baldwin,)
Plaintiff,)
v.)
The D.C. Superior Court,)
Defendant.)

Civil Action No. 07 2025

MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's pro se complaint and application to proceed in forma pauperis. The application will be granted and the complaint will be dismissed as procedurally barred.

Plaintiff is a District of Columbia resident and former employee of the Superior Court of the District of Columbia. She alleges that she was harassed and then fired without notice or warning while hospitalized in August 1994. Plaintiff claims to suffer from bipolar disorder. By Order of March 5, 2007, this Court dismissed with prejudice plaintiff's case arising from the same set of facts. Baldwin v. Superior Court of the District of Columbia, Civ. Action No. 06-1956 (Kessler, J.) [Dkt. No. 13]. Under the principle of res judicata, a final judgment on the merits in one action "bars any further claim based on the same 'nucleus of facts'" Page v. United States, 729 F.2d 818, 820 (D.C. Cir. 1984) (quoting Expert Elec., Inc. v. Levine, 554 F.2d 1227, 1234 (D.C. Cir. 1977)); accord Taylor v. Blakey, 490 F.3d 965, 969-70 (D.C. Cir. 2007) (citing cases). Because res judicata bars this action, the complaint will be dismissed by separate Order issued contemporaneously.

[Signature]
United States District Judge

Date: 11/1/2007

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