

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

STEVE CHADWICK-EL

*

Plaintiff

*

v

*

Civil Action No. RDB-09-2662

ROGER W. TITUS

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Defendant

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MEMORANDUM OPINION

Plaintiff alleges he is entitled to \$500,000 in punitive damages against the Honorable Roger W. Titus because he “committed sophism by dismissing” a complaint filed in Civil Action RWT-09-1490. Paper No. 1. Plaintiff has appealed the disputed decision to the Fourth Circuit Court of Appeals.¹

The complaint must be dismissed because it is barred by the doctrine of judicial immunity. *See Forrester v. White*, 484 U.S. 219, 226– 27 (1988) (“If judges were personally liable for erroneous decisions, the resulting avalanche of suits, most of them frivolous but vexatious, would provide powerful incentives for judges to avoid rendering decisions likely to provoke such suits.”). Under the provisions of 28 U.S.C. §1915(e) this Court must dismiss a case at any time if it is determined that the action is frivolous or malicious; or it fails to state a claim on which relief may be granted. The instant claim is frivolous.

Plaintiff is reminded that under 28 U.S.C. §1915(g) he will not be granted *in forma pauperis* status if he has “on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted,

¹ *See Chadwick v. Verizon Wireless*, Civil Action RWT-09-1490 (D. Md. 2009) at Paper No. 6-8.

unless the prisoner is under imminent danger of serious physical injury". The instant case will be the first filed by Plaintiff that has been dismissed as frivolous. A separate order follows.

November 4, 2009
Date

/s/

RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE