

FILED

MAR - 5 2009

**NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT**

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

John Randall Futch,)
)
 Plaintiff,)
)
 v.)
)
 Glenn Fine,)
)
 Defendant.)

Civil Action No. **09 0420**

MEMORANDUM OPINION

This matter is before the Court on plaintiff's *pro se* complaint and his application to proceed *in forma pauperis*. The Court will grant the application to proceed *in forma pauperis* and dismiss the complaint.

Plaintiff, a federal prisoner currently confined to a segregated housing unit for his own protection, has filed a complaint under 42 U.S.C. § 1983 for injunctive relief, alleging that his due process rights have been violated because the defendant, the Inspector General for the United States Department of Justice, has not conducted an investigation that plaintiff requested. There is, however, no such thing as a due process right to an investigation by the Department of Justice's Inspector General, and plaintiff has not identified any other way in which his due process rights might have been violated. Therefore, plaintiff has not stated a claim under 42 U.S.C. § 1983 upon which relief may be granted. Federal law obligates this Court to dismiss this complaint. 28 U.S.C. § 1915A(b)(1) (requiring a court to dismiss a complaint if it fails to state a claim upon which relief may be granted). A final order accompanies this memorandum opinion.

Date: 2/12/09

Ellen S Huck
United States District Judge

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