

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

GREGORY T. HOWARD,

Plaintiff,

v.

UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF OHIO, *et al.*,

Defendants.

Civil Action No. 09-531 (CKK)

MEMORANDUM OPINION

(March 30, 2009)

This matter is before the Court on plaintiff's *pro se* Complaint filed on March 18, 2009. The Court shall dismiss the complaint *sua sponte* pursuant to 28 U.S.C. § 1915(e)(2)(B)(iii) (“[n]otwithstanding any filing fee . . . that may have been paid, the court shall dismiss the case at any time if the court determines that the action . . . seeks monetary relief against a defendant who is immune from such relief”) and Federal Rule of Civil Procedure 12(h)(3) (“[i]f the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action”).

Plaintiff has sued the United States District Court for the Southern District of Ohio, the United States Department of Justice, the United States Attorney General, the Administrative Office of the United States Courts, and the United States Department of the Treasury, for \$27,519,203.43.¹ Plaintiff indicates that he intends to seek leave to add the United States Court

¹ The Court notes that Plaintiff has been declared a vexatious litigator under Ohio law and is apparently subject to restrictions on his access to the state courts of Ohio. *See Howard v. Ohio Supreme Court*, No. 07-514, 2008 U.S. Dist. LEXIS 6437 at *4-*12 (S.D. Ohio Jan. 14, 2008).

of Appeals for the Sixth Circuit and the United States Supreme Court as additional Defendants. *See* Compl. ¶ 20. Notwithstanding the identities of the named or putative Defendants, it is apparent that Plaintiff's Complaint seeks damages in connection with various rulings made by Judge Algenon L. Marbley in a case involving Plaintiff in the Federal District Court of the Southern District of Ohio. Judges are absolutely immune from lawsuits predicated on acts taken, as alleged here, in their judicial capacities. *Forrester v. White*, 484 U.S. 219, 225 (1988); *Stump v. Sparkman*, 435 U.S. 349, 355-57 (1978); *Sindram v. Suda*, 986 F.2d 1459, 1460 (D.C. Cir. 1993). Although Plaintiff mistakenly asserts that 28 U.S.C. § 1331 provides this court with "jurisdiction over other district court's orders," Compl. ¶ 31, this is not an appellate Court and the Court lacks jurisdiction to review the judgments of other federal courts.

Accordingly, Plaintiff's Complaint shall be dismissed, and the summons issued shall be quashed. A separate Order accompanies this Memorandum Opinion.

Date: March 30, 2009

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge