

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

EDDIE CHERIS,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 09-1627 (JR)
	:	
HILLARY RODHAM CLINTON,	:	
	:	
Defendant.	:	

MEMORANDUM

Defendant moves to dismiss this employment action for lack of subject matter jurisdiction and because it has been adjudicated before here and in the Eastern District of Virginia. Because the former applies, the Court will not address the latter ground for dismissal. Plaintiff alleges that he was not fairly compensated for his work at the State Department.<sup>1</sup> See Compl. at 5-6. His recourse lies exclusively in the remedial scheme of the Civil Service Reform Act of 1978, which requires adjudication of such claims by the Office of Personnel Management, appeal to the Merit Systems Protection Board and judicial review by the U.S. Court of Appeals for the Federal

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<sup>1</sup> Although plaintiff has attached to this complaint a decision from the Equal Employment Opportunity Commission dated July 22, 2009, he states that “[t]his case is about getting paid for service rendered; not about being disabled . . .,” Compl. at 5, and has not alleged any facts in support of a discrimination claim.

Circuit. *Fornaro v. James*, 416 F.3d 63, 66 (D.C. Cir. 2005). A separate order of dismissal accompanies this Memorandum.

JAMES ROBERTSON  
United States District Judge