

FILED

OCT 21 2009

Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Juan F. Evans,)
)
Plaintiff,)
)
v.)
)
)
Ricardo M. Urbina,)
)
Defendant.)

Civil Action No. **09 1992**

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint and application for leave to proceed *in forma pauperis*. Pursuant to 28 U.S.C. § 1915(e), the Court is required to dismiss a complaint upon a determination that it, among other grounds, seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B)(iii).

Plaintiff, a resident of Fort Walton Beach, Florida, sues United States District Judge Ricardo M. Urbina in his official and individual capacity for dismissing his complaint against the Clerk of the Supreme Court and two assistant clerks. Compl. ¶¶ 4-6. Judges are absolutely immune from lawsuits predicated on acts taken, as alleged here, in their judicial capacity. *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). The complaint therefore will be dismissed. A separate Order accompanies this Memorandum Opinion.

Date: October 16, 2009


United States District Judge

(N)