

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

FILED

NOV 19 2009

Clerk, U.S. District and
Bankruptcy Courts

Ralph John Prepetit,)
)
 Plaintiff,)
)
 v.)
)
 Government of the District of Columbia)
 et al.,)
)
 Defendants.)

Civil Action No. 09 2183

MEMORANDUM OPINION

This matter is before the court on the plaintiff's pro se complaint and application to proceed in forma pauperis. The application to proceed in forma pauperis will be granted and the complaint will be dismissed for lack of subject matter jurisdiction.

Plaintiff seeks to obtain certain records from the District of Columbia's Department of Corrections. The exhibits filed with the complaint make clear that the plaintiff intends to proceed under the District of Columbia's Freedom of Information Act, and has pursued his administrative remedies under that law. He has, however, mistakenly brought suit in this federal court under federal law. *See* Compl. at 1 (citing the federal Freedom of Information Act, 5 U.S.C. § 552, and the federal Privacy Act, 5 U.S.C. § 552a.) The federal Freedom of Information and Privacy Acts do not apply to the District of Columbia or its agencies, the defendants named in this suit. Plaintiff may find recourse with respect to documents created and maintained by the District of Columbia or its agencies in District of Columbia statutes as enforced by the courts of the District of Columbia.

A separate order accompanies this memorandum opinion.

Date: 10/29/09


United States District Judge