

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

APR 10 2013

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

Fulton Griffith,)
)
 Plaintiff,)
)
 v.)
)
 Judge White Dist. Middle *et al.*,)
)
 Defendants.)
 _____)

Civil Action No. **13 0467**

MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's *pro se* motion construed as a complaint and application to proceed *in forma pauperis*. The Court will grant plaintiff's application to proceed *in forma pauperis* and will dismiss this action for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3) (requiring the court to dismiss an action "at any time" it determines that subject matter jurisdiction is wanting).

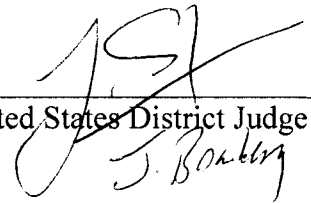
Plaintiff, a prisoner incarcerated in Sarasota, Florida, has submitted a document captioned "Motion Court invoke inherited Power under [US] Constitution Chambers Supra, Necessary [sic] Take Judicial Notice Law and Clairfy [sic] the Law for District Judge Covenghton assigned as Judge." Plaintiff essentially wants this Court to review the decisions of the United States District Court in Tampa, Florida, and the United States Court of Appeals for the Eleventh Circuit. Contrary to plaintiff's assertion that this Court has "inherited powers," Compl. at 1, this Court is not a reviewing court and, thus, lacks subject matter jurisdiction to review the decisions of another district court and those of a higher federal court. *See* 28 U.S.C. §§ 1331, 1332 (general jurisdictional provisions); *Fleming v. United States*, 847 F. Supp. 170, 172 (D.D.C.

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1994), *cert. denied* 513 U.S. 1150 (1995) (citing *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 482 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415, 416 (1923)); *see also Panko v. Rodak*, 606 F.2d 168, 171 n.6 (7th Cir. 1979), *cert. denied*, 444 U.S. 1081 (1980) ("It seems axiomatic that a lower court may not order the judges or officers of a higher court to take an action."). A separate order of dismissal accompanies this Memorandum Opinion.

Date: April 3, 2013


United States District Judge
J. S. Bowler