

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JUN 26 2013

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

_____))
 DAVID J. HOVER,))
))
 Plaintiff,))
))
 v.))
))
 JOHN G. ROBERTS, *et al.*,))
))
 Defendants.))
 _____))

Civil Action No.

13-969

MEMORANDUM OPINION

According to the plaintiff, the Clerk of the Supreme Court of the United States and his staff have obstructed or otherwise have interfered with his efforts to file a petition for a writ of habeas corpus. The plaintiff demands, among other relief, an order directing the Clerk to “[s]chedule the action filed on December 2, 2012, by Plaintiff David J. Hover, in its appropriate position on the Court calendar for hearing as it should be by filing date.” Compl. at 8.


The Clerk of the Supreme Court is the designated recipient of all documents filed with the Supreme Court, and is authorized to reject any filing that does not comply with the applicable rules and orders. *See* Sup. Ct. R. 1. This Court has no authority to determine what action, if any, must be taken by the Supreme Court and its administrative officers. *See In re Marin*, 956 F.2d 339, 340 (D.C. Cir.), *cert. denied*, 506 U.S. 844 (1992). Furthermore, insofar as the plaintiff demands compensatory damages, the defendants are absolutely immune from suit. The absolute judicial immunity afforded to judges, *see Sindram v. Suda*, 986 F.2d 1459, 1460 (D.C. Cir. 1993) (“Judges enjoy absolute judicial immunity from suits for money damages for all actions taken in the judge’s judicial capacity, unless these actions are taken in the complete absence of all

ln 1

jurisdiction.”), extends to court clerks performing “tasks that are an integral part of the judicial process.” *Id.* at 1460-61.

The Court will grant the plaintiff’s application to proceed *in forma pauperis* and will dismiss the complaint for failure to state a claim upon which relief can be granted. An Order consistent with this Memorandum Opinion is issued separately.

DATE: 06/17/2013



United States District Judge