

FILED

SEP - 4 2014

**Clerk, U.S. District and
Bankruptcy Courts**

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

THEODORE E. POWELL,

Petitioner,

v.

THE POSITION OF MAYOR OR
MAYOR VINCENT C. GRAY,

Respondent.

Civil Action No. **14-1518**

MEMORANDUM OPINION


This matter is before the Court on the petitioner’s application to proceed *in forma pauperis* and his *pro se* petition for a writ of mandamus. The Court will grant the application and dismiss the petition.

The petitioner seeks a writ of mandamus to compel the Mayor of the District of Columbia to reinstate him to his former teaching position with the District of Columbia Public Schools. Pet. at 1. “The extraordinary writ of mandamus is available to compel an ‘*officer or employee of the United States or any agency thereof*’ to perform a duty owed to plaintiff,” 28 U.S.C. § 1361 (emphasis added), and the Court therefore cannot compel the Mayor of the District of Columbia to provide the relief petitioner demands.” *Powell v. Gray*, No. 13-1163, 2013 WL 3973370, at *1 (D.D.C. July 20, 2013) (citing *Powell v. Gray*, No. 13-902, 2013 WL 3155367, at *1 (D.D.C. June 14, 2013)); *Powell v. Washington Teachers Union*, 968 F. Supp. 2d 267, 267

(D.D.C. 2013) (dismissing mandamus petition, because “the Court . . . cannot compel either the Washington Teachers Union or the Chancellor of the District of Columbia Public Schools to provide the relief petitioner demands”).

The petition for a writ of mandamus will be dismissed for lack of subject matter jurisdiction. An Order accompanies this Memorandum Opinion.

DATE: 8/28/2014



United States District Judge