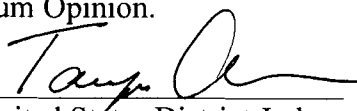


action made reviewable by statute and final agency action for which there is no other adequate remedy in a court are subject to judicial review.”). The Civil Rights Division’s letter to plaintiff merely describes the role and scope of its Special Litigation Section and informs that “[w]e will review your letter to decide whether it is necessary to contact you for additional information.” Jan. 5, 2015 Letter at 1. The letter does not constitute a final agency action subject to review under the APA because it neither “imposes an obligation, denies a right, [n]or fixes some legal relationship.” *Reliable Automatic Sprinkler Co., Inc. v. Consumer Product Safety Comm’n*, 324 F.3d 726, 731 (D.C. Cir. 2003) (citation omitted); *see Trudeau v. FTC*, 456 F.3d 178, 189 (D.C. Cir. 2006), quoting 5 U.S.C. § 551(13) (defining “agency action”).

To the extent that plaintiff is seeking to compel the Attorney General to investigate his “complaint,” he has not alleged facts or cited any authority to overcome the jurisdictional bar to such a claim. *See Shoshone-Bannock Tribes v. Reno*, 56 F.3d 1476, 1480 (D.C. Cir. 1995) (“In both civil and criminal cases, courts have long acknowledged that the Attorney General’s authority to control the course of the federal government’s litigation is presumptively immune from judicial review.”); *Wightman-Cervantes v. Mueller*, 750 F. Supp. 2d 76, 80 (D.D.C. 2010) (“[A]n agency’s decision whether to prosecute, investigate, or enforce has been recognized as purely discretionary and not subject to judicial review.”) (citing *Block v. SEC*, 50 F.3d 1078, 1081-82 (D.C. Cir. 1995)) (other citation omitted); *Martinez v. U.S.*, 587 F. Supp. 2d 245, 248-49 (D.D.C. 2008) (“The FBI’s decision whether or not to investigate the supposed criminal activity reported by Martinez is a discretionary function[.]”). Hence, this case will be dismissed.

A separate Order accompanies this Memorandum Opinion.

Date: February 20, 2015


United States District Judge