

6/26/2020  
Clerk, U.S. District & Bankruptcy  
Court for the District of Columbia

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

MICHAEL SPENGLER, JR., )  
)  
Plaintiff, )  
)  
)  
)  
ATTORNEY GENERAL OF THE )  
UNITED STATES OF AMERICA *et al.*, )  
)  
Defendants. )

Civil Action No. 20-1354 (UNA)

**MEMORANDUM OPINION**

This matter, brought *pro se* by a prisoner in Los Angeles, California, is before the Court on initial review of plaintiff’s complaint and motion to proceed *in forma pauperis*. For the following reasons, the *in forma pauperis* motion will be granted and this case will be dismissed.

A district court must immediately dismiss a prisoner’s complaint upon determining that it, among other enumerated grounds, fails to state a claim upon which relief can be granted. 28 U.S.C. § 1915A. Plaintiff has sued the Attorneys General of the United States and the District of Columbia under the Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. § 1961 *et seq.*, which applies to neither governmental defendant. *See Klayman v. Obama*, 125 F. Supp. 3d 67, 79 (D.D.C. 2015) (“The United States has not waived sovereign immunity for claims brought under the RICO Act”) (citing *Norris v. Dep’t of Defense*, No. 96-5326, 1997 WL 362495 (D.C. Cir. May 5, 1997) (per curiam) (other citations omitted)); *Miller v. Marriott Int’l LLC*, 378 F. Supp. 3d 1, 7 (D.D.C. 2019), *aff’d*, No. 19-7053, 2019 WL 6492628 (D.C. Cir. Nov. 15, 2019) (“the District of Columbia [cannot] be held liable under the federal civil RICO statute”) (citing *BEG Investments, LLC v. Alberti*, 85 F. Supp. 3d 13, 27 (D.D.C. 2015)).

Accordingly, this case will be dismissed with prejudice for failure to state a claim. A separate order accompanies this Memorandum Opinion.

SIGNED: EMMET G. SULLIVAN  
UNITED STATES DISTRICT JUDGE

DATE: June 26, 2020