

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JUNE 7, 2021

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

_____)	
MIGUEL ANTONIO GARCIA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 21-1496 (UNA)
)	
JOE BIDEN, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

MEMORANDUM OPINION

This matter is before the Court on review of this *pro se* plaintiff’s application to proceed *in forma pauperis* and his civil complaint. The plaintiff brings this civil rights action against the police involved in the investigation leading to his arrest, the Assistant United States Attorneys who prosecuted the criminal case against him, and the presiding United States District Judge. Generally, the plaintiff alleges that defendants violated rights protected under the Fifth and Fourteenth Amendments to the United States Constitution by fabricating evidence, committing perjury, falsely arresting him, maliciously prosecuting him, and otherwise effecting his wrongful conviction and sentence. In addition to injunctive relief, the plaintiff demands damages of \$23 million.

Prior to filing this case, the plaintiff filed a civil action in the United States District Court for the District of Colorado. *See Garcia v. Biden*, No. 1:21-cv-1170 (D. Colo. Apr. 28, 2021). That case involves the same parties, and the complaint, as amended, before the District of Colorado is substantially similar to the complaint before this Court, presenting the same legal claims arising from the same factual circumstances.

“Considerations of comity and orderly administration of justice dictate that two courts of equal authority should not hear the same case simultaneously.” *Wash. Metro. Area Transit Auth. v. Ragonese*, 617 F.2d 828, 830 (D.C. Cir. 1980) (citation omitted). Accordingly, the Court will grant the plaintiff’s application to proceed *in forma pauperis*, and it will dismiss the complaint and this civil action without prejudice. An Order is issued separately.

DATE: June 7, 2021

/s/
DABNEY L. FRIEDRICH
United States District Judge