

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

KEVIN DONNELL MURPHY,

*

Plaintiff,

*

v.

*

Civ. No. JKB-24-2665

MARY A. JOHNSON, et al.,

*

*

Defendants.

*

MEMORANDUM AND ORDER

Plaintiff Kevin Donnell Murphy has filed this case against Mary A. Johnson, the Naval Research Laboratory, Megan Lynn Miceo (the Court presumes that Plaintiff intended to name Megan Lynn Micco), and Judge Julie R. Rubin of this Court. (*See generally* ECF No. 1.) The crux of Plaintiff’s Complaint appears to be Judge Rubin’s grant of a motion for extension of time in a separate case involving Johnson and the Naval Research Laboratory, in which those Defendants are represented by Ms. Micco. (*See* ECF No. 1-1 at 3; *see also* Civ. No. JRR-24-01588, ECF Nos. 6–7.)

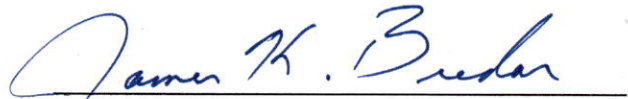
The Court has reviewed the Complaint and concludes that dismissal is likely appropriate, given that the case appears to be frivolous and barred by judicial immunity. As the Fourth Circuit has explained, “frivolous complaints are subject to dismissal pursuant to the inherent authority of the court[.]” *Chong Su Yi v. Soc. Sec. Admin.*, 554 F. App’x 247, 248 (4th Cir. 2014). “[D]istrict courts may only exercise their authority to sua sponte dismiss inadequate complaints if the procedure employed is fair to the parties. Namely, the party whose complaint stands to be dismissed must be afforded notice and an opportunity to amend the complaint or otherwise respond.” *Robertson v. Anderson Mill Elementary Sch.*, 989 F.3d 282, 291 (4th Cir. 2021).

Accordingly, it is ORDERED that:

1. Plaintiff is DIRECTED to SHOW CAUSE by October 11, 2024, why his Complaint should not be dismissed.
2. Plaintiff is FOREWARNED that a failure to show cause will result in the dismissal of the Complaint with prejudice.
3. The Clerk is DIRECTED to mail a copy of this Order to Plaintiff.

DATED this 24 day of September, 2024.

BY THE COURT:

A handwritten signature in blue ink that reads "James K. Bredar". The signature is written in a cursive style and is positioned above a horizontal line.

James K. Bredar
United States District Judge