

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

Thomas J. Savoca,)	CASE NO. 1:19 CV 3000
)	
Plaintiff,)	JUDGE JOHN R. ADAMS
)	
v.)	
)	<u>MEMORANDUM OF OPINION</u>
United States Department of Justice, <i>et al.</i> ,)	<u>AND ORDER</u>
)	
Defendants.)	

This is another *pro se* case filed by plaintiff Thomas Savoca in which he complains he did not receive all discovery in his federal criminal cases, and seeking to compel discovery. (*See* Doc. No. 1.) He filed this action against the United States Department of Justice, the Executive Office of the United States Attorney, and the Federal Bureau of Investigation. This Court has already dismissed a prior civil action Savoca filed seeking to compel “exculpatory evidence” in connection with a federal criminal case under the Freedom of Information Act (FOIA). *See Savoca v. Wilson, et al.*, No. 1: 19 CV 14 (N.D. Ohio June 4, 2019). The Court found that Savoca’s allegations did not support a plausible claim under FOIA or otherwise, and that his action was merely attempt to re-argue his criminal case.

The Court finds that this action must likewise be summarily dismissed. Federal district courts

are required under 28 U.S.C. § 1915A to screen all complaints in which a prisoner seeks redress from governmental entities, and to dismiss before service any such action that the court determines is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. *See Hill v. Lappin*, 630 F.3d 468, 470-71 (6th Cir. 2010).

Savoca's allegations do not plausibly suggest he has any valid federal civil claim against any defendant to compel evidence in connection with his closed criminal cases. *See Lillard v. Shelby Cty. Bd. of Educ.*, 76 F.3d 716, 726 (6th Cir. 1996) (a court is not required to accept summary allegations or unwarranted conclusions in determining whether a complaint states a claim for relief).

Conclusion

Accordingly, this action is dismissed pursuant to 28 U.S.C. § 1915A. Savoca's motions to proceed *in forma pauperis* (Doc. No. 2) and for authorization to review evidence (Doc. No. 4) are both denied as moot. The Court further certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

Date: 6/16/2020

/s/ John R. Adams

JOHN R. ADAMS

UNITED STATES DISTRICT JUDGE