

APPENDIX B
United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-7165**September Term, 2023****1:23-cv-03278-UNA****Filed On: August 5, 2024**

Onyinye Jideani,

Appellant

v.

Robert R. Rigsby, Judge; Civil Action Judge
at the District of Columbia Superior Court,

Appellee

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Wilkins, Childs, and Pan, Circuit Judges

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). Upon consideration of the foregoing and the motion for contempt, it is

ORDERED that the motion for contempt be denied. It is

FURTHER ORDERED AND ADJUDGED that the district court's order entered November 9, 2024, be affirmed. The district court correctly dismissed appellant's claim for damages. Appellant's allegations arise from appellee's decisions in her civil case before the District of Columbia Superior Court, but appellee is absolutely immune from suits for money damages for actions taken within his judicial jurisdiction. See Sindram v. Suda, 986 F.2d 1459, 1460 (D.C. Cir. 1993) (per curiam). Appellant has forfeited any other claim. See United States ex rel. Totten v. Bombardier Corp., 380 F.3d 488, 497 (D.C. Cir. 2004) (arguments not raised on appeal are forfeited).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution

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of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy
Deputy Clerk

APPENDIX B

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ONINYE JIDEANI,

Plaintiff,

v.

ROBERT R. RIGSBY,

Defendants.

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Civil Action No. 23-3278 (UNA)

MEMORANDUM OPINION

This matter is before the Court on Plaintiff Oninye Jideani's application to proceed *in forma pauperis*, ECF No. 2, and *pro se* complaint, ECF No. 1. The Court will GRANT the application and, for the reasons discussed below, DISMISS the complaint and this civil action without prejudice.

According to the complaint, on May 9, 2022, Plaintiff filed a civil action against Hilton Worldwide Holdings, Inc. in the Superior Court of the District of Columbia alleging violations of the D.C. Human Rights Act. *See* Compl. at 6-8. Plaintiff alleges that the Clerk of Court "unlawfully misclassified the May 09, 2022 Unlawful Discriminatory Practice suit . . . as one for a Declaratory Judgment claim suit," thereby "unlawfully denying its legal and jurisdictional substantial merits." *Id.* at 5 (emphasis omitted). Defendant, the judge to whom the case was assigned, allegedly "deprived [Plaintiff] of [her] civil rights, privileges, and/or immunities secured by the Constitution and laws" by "infring[ing] on [Plaintiff's] substantive rights" and "subject[ing her] to willful misconduct." Compl. at 3. Plaintiff's principal complaint is that Defendant "dismissed the . . . action . . . during the first and only hearing held on October 21, 2022," thereby allegedly "engag[ing] in unlawful and unjudicial conduct." *Id.* at 5. As

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compensation for Defendant's having violated Plaintiff's rights "in the capacity of his judicial position at the District of Columbia Superior Court," *id.* at 9, Plaintiff demands an award of \$15 million under 42 U.S.C. § 1983, *id.*, and that criminal charges be brought against Defendant pursuant to 18 U.S.C. § 242, *id.*¹

The Court cannot grant Plaintiff the relief she seeks for several reasons. First, Defendant enjoys absolute judicial immunity. "Few doctrines were more solidly established at common law than the immunity of judges from liability for damages for acts committed within their judicial jurisdiction" *Pierson v. Ray*, 386 U.S. 547, 553–54 (1967). Here, even accepting the complaint's allegations as true, Defendant was acting in his judicial capacity when he issued, or declined to issue, the rulings Plaintiff deems objectionable—indeed, Plaintiff states multiple times that the alleged misconduct occurred "in the capacity of [Defendant's] judicial position." Compl. at 3, 9. Absolute judicial immunity therefore protects him from suit. *See Mireles v. Waco*, 502 U.S. 9, 11 (1991) (explaining that "judicial immunity is an immunity from suit, not just from ultimate assessment of damages"); *Stump v. Sparkman*, 435 U.S. 349, 364 (1978) (concluding that state judge was "immune from damages liability even if his [decision] was in error"). To the extent Plaintiff seeks relief based on the action of other court officials, this immunity extends to court staff who perform tasks integral to the judicial process. *See Sindram v. Suda*, 986 F.2d 1459, 1460–61 (D.C. Cir. 1993) (*per curiam*); *see also Roth v. King*, 449 F.3d 1272, 1287 (D.C. Cir. 2006) ("It is well established that judicial immunity extends to other officers of government whose duties are related to the judicial process." (cleaned up)).

¹ Plaintiff's complaint also alleges misconduct or erroneous decisionmaking by the District of Columbia Court of Appeals during an appeal of Defendant's decision, *see* Compl. at 5–6, though it does not name any of that court's members as defendants. To the extent Plaintiff seeks to bring claims against the judges of the Court of Appeals, those claims would fail for the same reasons as the claims against Defendant.

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Second, Plaintiff is no more successful in demanding that criminal charges be brought against Defendant because there is no private right of action under 18 U.S.C. § 242, *see, e.g., McCray v. Holder*, 391 F. App'x 887 (D.C. Cir. 2010) (per curiam) (concluding that “district court correctly held that there is no private right of action under 18 U.S.C. §§ 241 and 242”); *Rockefeller v. U.S. Ct. of Appeals Off.*, 248 F. Supp. 2d 17, 23 (D.D.C. 2003) (“[T]he plaintiff is precluded from asserting any claims pursuant to 18 U.S.C. §§ 242 and 371 because, as criminal statutes, they do not convey a private right of action.”), and Plaintiff cannot compel a criminal prosecution, *see United States v. Nixon*, 418 U.S. 683, 693 (1974) (acknowledging that the Executive Branch “has exclusive authority and absolute discretion to decide whether to prosecute a case”); *cf. Heckler v. Chaney*, 470 U.S. 821, 831 (1985) (“[A]n agency’s decision not to prosecute or enforce, whether through civil or criminal process, is a decision generally committed to an agency’s absolute discretion.”).

Finally, to the extent Plaintiff asks this Court to review the underlying District of Columbia court decisions to which she objects, her claims are barred by the *Rooker-Feldman* doctrine. *See, e.g., Singletary v. District of Columbia*, 766 F.3d 66, 71 (D.C. Cir. 2014).

The Court will therefore dismiss Plaintiff’s complaint and this civil action without prejudice. An appropriate Order will issue separately.

DATE: November 9, 2023

ANA C. REYES
United States District Judge

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APPENDIX
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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ONINYE JIDEANI,

Plaintiff,

v.

ROBERT R. RIGSBY,

Defendants.

Civil Action No. 23-3278 (UNA)

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby
ORDERED that Plaintiff's application to proceed *in forma pauperis* [2] is GRANTED;
and it is

FURTHER ORDERED that the complaint and this civil action are DISMISSED
WITHOUT PREJUDICE.

This is a final appealable Order.

The Clerk of Court shall TERMINATE this case.

SO ORDERED.

DATE: November 9, 2023

ANA C. REYES
United States District Judge

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United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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September Term, 2023

1:23-cv-03278-UNA

Filed On: August 5, 2024

Onyinye Jideani,

Appellant

v.

Robert R. Rigsby, Judge; Civil Action Judge
at the District of Columbia Superior Court,

Appellee

ORDER

Upon consideration of appellant's motion for reconsideration, it is

ORDERED that the motion be dismissed as moot in light of the court's judgment filed August 5, 2024, denying appellant's motion for contempt and affirming the district court's order entered November 9, 2024.

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy

Deputy Clerk

APPENDIX C

**Additional material
from this filing is
available in the
Clerk's Office.**