

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-7128**September Term, 2019****1:19-cv-02266-UNA****Filed On:** February 5, 2020

Tracy Nixon,

Appellant

v.

Redmond K. Barnes, Individual capacity,

Appellee

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

BEFORE: Henderson and Katsas, Circuit Judges, and Sentelle, Senior Circuit Judge

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 appellant's brief. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's August 30, 2019 order dismissing appellant's complaint be affirmed. The district court correctly concluded that "the Supreme Court Clerk and Clerk's office staff enjoy absolute immunity from a lawsuit for money damages based upon decisions falling within the scope of their official duties." Miller v. Harris, 599 Fed. Appx. 1, 1 (D.C. Cir. 2015) (per curiam); see also Sindram v. Suda, 986 F.2d 1459, 1460 (D.C. Cir. 1993) (per curiam) ("[C]lerks, like judges, are immune from damage suits for performance of tasks that are an integral part of the judicial process."). Insofar as appellant sought declaratory relief against an employee of the Supreme Court Clerk's office, the district court lacked authority to grant such relief. See In re Marin, 956 F.2d 339, 340 (D.C. Cir. 1992) (per curiam) (affirming district court's dismissal of claim for injunctive and declaratory relief against Supreme Court employee who rejected appellant's certiorari petition).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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 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