

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

CLOVIS JOHNSON	:	
Plaintiff	:	CIVIL ACTION NO.
v.	:	3:07-CV-106 (JCH)
	:	
U.K. GOVERNMENT, ET AL,	:	DECEMBER 18, 2007
Defendants	:	

**ORDER**

Plaintiff Clovis Johnson, a state prisoner, brings this action against defendants U.K. Government, Julie D. Morl,<sup>1</sup> British Pro Consul, and British Consulate General. In his Complaint, Johnson alleges that the defendants have violated his rights under 42 U.S.C. § 1983 because they have deprived him of certain rights secured by the constitution and laws of the United Kingdom. Johnson is proceeding pro se and in forma pauperis.

When a plaintiff proceeds in forma pauperis, his lawsuit is subject to dismissal “at any time if the court determines . . . that the action is frivolous or malicious,” 28 U.S.C. § 1915(e)(2)(B)(i), or if the court determines that the lawsuit “fails to state a claim upon which relief may be granted.” Id. § 1915(e)(2)(B)(ii); see also Jones v. Bock, 127 S. Ct. 910, 920 (2007) (recognizing the court’s sua sponte authority to make dismissals on these grounds when the plaintiff has in forma pauperis status).

Johnson’s Complaint is frivolous, and at the very least it fails to state a claim upon which relief may be granted. Section 1983 states, in pertinent part:

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<sup>1</sup> Defendant Morl is alleged to be a British officer “under the supervision and direction and control of defendant Queen [of England].” The Queen herself is not named in the caption of the Complaint.

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured . . . .

Johnson's Complaint alleges that at all times the defendants "were acting under British law." Accordingly, the face of the Complaint shows that the defendants were not acting under the color of law of any State or Territory of the United States, or of the District of Columbia, as is required for a Section 1983 cause of action. Additionally, the alleged rights that were violated were rights secured by British law. Section 1983 only applies to the deprivation of rights "guaranteed . . . by the Constitution or laws of the United States." Rodriguez v. Phillips, 66 F.3d 470, 473 (2d Cir. 1995) (emphasis added).

Accordingly, the court orders that the Complaint be **DISMISSED**.

**SO ORDERED.**

Dated at Bridgeport, Connecticut this 18th day of December, 2007.

/s/ Janet C. Hall  
Janet C. Hall  
United States District Judge