

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 03-5136

September Term, 2003

03cv00666

Filed On: February 19, 2004 [804319]

Daniel Kosth,  
Appellant

v.

William K. Suter, U.S. Supreme Court, et al.,  
Appellees

## APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

**BEFORE:** Ginsburg, Chief Judge, and Sentelle and Rogers, 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 the appellant. It is

**ORDERED AND ADJUDGED** that the district court's order filed March 12, 2003 be affirmed. To the extent appellant stated a claim against the named defendants in their individual capacities under Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), the Supreme Court clerks, like judges, are protected by immunity because they were performing tasks that are an integral part of the judicial process. See Sindram v. Suda, 986 F.2d 1459 (D.C. Cir. 1993) (applying the doctrine of absolute judicial immunity to judicial clerks); Mullis v. United States Bankruptcy Court, 828 F.2d 1385, 1390 (9th Cir. 1987) (immunity in Bivens suit). With respect to appellant's claims for declaratory and injunctive relief, the district court correctly determined it lacked authority to order the Supreme Court staff to accept appellant's pleadings or to take any other action. See Marin v. Suter, 956 F.2d 339 (D.C. Cir. 1992) (per curiam).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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