

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

MATTHEW STROJEK,

Petitioner,

v.

Case No. 8:19-cv-1291-T-02AEP

CLERK AND COURT REPORTER  
OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY,  
FLORIDA,

Respondents.

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**ORDER**


Before the Court is Mr. Strojek's Petition for the Issuance of a Writ of Mandamus (Doc. 1). Mr. Strojek is a Florida prisoner who petitions this Court to issue a writ of mandamus directing Respondents to provide him with free "pre-trial transcripts." He contends that he has a clear right to the transcripts, and that the Respondents have a clear duty to provide the transcripts under Rule 9.200, Florida Rules of Criminal Procedure, and Section 27.5305, Florida Statutes.

United States district courts have jurisdiction in actions in the nature of mandamus pursuant to 28 U.S.C. § 1361 to compel *United States* officials to perform their duties. *See* 28 U.S.C. § 1361 ("The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff."). Neither Respondent is a federal agency or employee. Accordingly, this Court lacks jurisdiction to issue a writ of mandamus directing Respondents to provide Mr. Strojek with the requested transcripts. *See Moye v. Clerk, DeKalb Cnty. Sup. Ct.*, 474 F.2d 1275, 1276 (5th Cir.1973)

("[A] federal court lacks the general power to issue writs of mandamus to direct state courts and their judicial officers in the performance of their duties where mandamus is the only relief sought.") (citations omitted).

Accordingly, it is **ORDERED** that Mr. Strojek's Petition for the Issuance of a Writ of Mandamus (Doc. 1) is **DISMISSED** pursuant to 28 U.S.C. § 1915A for failure to state a claim upon which relief can be granted.<sup>1</sup> The **Clerk** is directed to close this case.

**DONE AND ORDERED** in Tampa, Florida, on May 30<sup>th</sup>, 2019.

  
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WILLIAM F. JUNG  
United States District Judge

Copy to: Matthew Strojek, *pro se*

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<sup>1</sup>Mr. Strojek's prior petition for a writ of mandamus seeking the same relief (see Case No. 8:19cv1107-T-02AEP (M.D.Fla.)) was dismissed for the same reasons the petition in the instant case is dismissed.