

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

WALLACE MITCHELL,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 17-1699 (RMC)
)	
UNITED STATES OF AMERICA, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION

The United States documents that this case is the same as *Mitchell v. Dr. C. Ephrussi*, No. 15-cv-1975 (RMC), which, upon substitution and removal, was dismissed as to the United States based on Mr. Mitchell’s failure to exhaust his administrative remedies under the Federal Tort Claims Act (FTCA), 28 U.S.C. §§ 1346(b), 2671-80. The remaining case against the District of Columbia Department of Corrections was remanded to D.C. Superior Court.¹ The Superior Court then initially dismissed the complaint but later granted Mr. Mitchell’s motion to reinstate the case, including the claims against the medical defendants for whom the United States was substituted. As a result, the United States again substituted itself for the medical providers and removed the case to this Court. The United States has moved to dismiss the

¹ Mr. Mitchell is serving a prison sentence of twenty years to life for first-degree murder and related crimes imposed in 1991 by the D.C. Superior Court. *See Mitchell v. United States*, 629 A.2d 10, 11 n.2 (D.C. 1993). In July 2014, Mr. Mitchell was transferred to the D.C. Jail from the United States Penitentiary in Florence, Colorado, to attend post-conviction proceedings in Superior Court. Since his arrival, Mr. Mitchell has been no stranger to this court, having “initiated various cases” against the District of Columbia Department of Corrections (DOC). *Mitchell v. Samuels*, 255 F. Supp. 3d 212, 214 (D.D.C. 2017). In this case, Mr. Mitchell sued in Superior Court the DOC and a list of doctors and physician assistants of Unity Health Care, Inc.

