

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JAN 27 2009

**Clerk, U.S. District and
Bankruptcy Courts**

Kareemah Bell-Boston,)
)
Plaintiff,)
)
v.)
)
Mazza Gallerie Mall,)
)
Defendant.)

Civil Action No. **09 0149**

MEMORANDUM OPINION

This matter is before the Court on plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant plaintiff's application and dismiss the complaint for lack of subject matter jurisdiction.

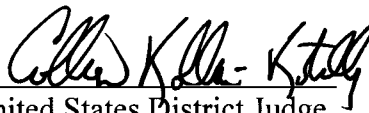
The subject matter jurisdiction of the federal district courts is limited and is set forth generally at 28 U.S.C. §§ 1331 and 1332. Under those statutes, federal jurisdiction is available only when a "federal question" is presented or the parties are of diverse citizenship and the amount in controversy exceeds \$75,000. A party seeking relief in the district court must at least plead facts that bring the suit within the court's jurisdiction. *See* Fed. R. Civ. P. 8(a). Failure to plead such facts warrants dismissal of the action. *See* Fed. R. Civ. P. 12(h)(3).

Plaintiff, a resident of Landover Hills, Maryland, sues the Mazza Gallerie Mall in Washington, D.C. for an alleged encounter on December 17, 2008, with a security officer "about destruction of mall furniture," who also allegedly told plaintiff "to clean up my mess, [that] he had a personal problem with me being inside the mall and [that] he wanted me to leave immediately." Compl. at 2. The complaint does not allege a violation of either the Constitution or federal law nor does it provide a basis for diversity jurisdiction inasmuch as plaintiff has not

121

demanded any amount of monetary damages. Accordingly, the complaint will be dismissed. A separate Order accompanies this Memorandum Opinion.

Date: January 7th, 2009


United States District Judge