

FILED

MAR 24 2009

**NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT**

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

JOYCE MARIE WILLIAMS,)
)
 Plaintiff,)
)
 v.)
)
 UNITY HEALTH CARE, INC., *et al.*,)
)
 Defendants.)

Civil Action No. **09 0551**

MEMORANDUM OPINION

This matter comes before the Court upon review of plaintiff's application for leave to proceed *in forma pauperis* and *pro se* complaint. The application will be granted but the complaint will be dismissed.

It appears that plaintiff brings a malpractice action arising from dental work performed by defendants between April and July 2008. She demands damages of \$5,000.

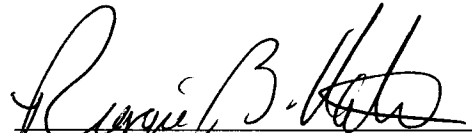
Federal district courts have jurisdiction in civil actions arising under the Constitution, laws or treaties of the United States. *See* 28 U.S.C. § 1331. In addition, federal district courts have jurisdiction over civil actions where the matter in controversy exceeds \$75,000, and the suit is between citizens of different states. *See* 28 U.S.C. § 1332(a). The facts alleged do not appear to raise a federal question. Because all parties appear to reside or conduct business in the District of Columbia and because the demand for damages does not meet the \$75,000 threshold, plaintiff does not establish jurisdiction based on diversity of citizenship. For these reasons, the complaint will be dismissed without prejudice for lack of subject matter jurisdiction.

An Order consistent with this Memorandum Opinion will be issued separately on this

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same date.


United States District Judge

DATE: *March 9, 2009*