



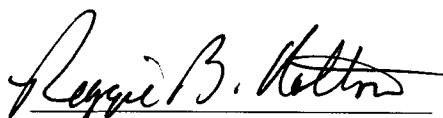
1346(b)(1), but the FTCA does not expose the United States to liability for the commission of all torts, *see, e.g., Richards v. United States*, 369 U.S. 1, 6 (1962). And here, the Court lacks subject matter jurisdiction over the plaintiff's tort claims because "the United States simply has not rendered itself liable under [the FTCA] for constitutional tort claims." *Meyer*, 510 U.S. at 478.

Insofar as the plaintiff brings this action as an attack on his criminal conviction and sentence, this is not a subject over which the Court has jurisdiction. *See, e.g., Burnell v. Office of the Attorney General of the United States*, No. 1:14-cv-02206, 2014 WL 7411036, at \*1 (D.D.C. Dec. 30, 2014) (dismissing plaintiff's "challenge to his criminal sentence in the guise of a civil rights complaint"), *appeal filed*, No. 15-5027 (D.C. Cir. Jan. 29, 2015). To the extent a remedy is available to the plaintiff, his claim must be addressed to the sentencing court in a motion under 28 U.S.C. § 2255. *See Taylor v. U.S. Bd. of Parole*, 194 F.2d 882, 883 (D.C. Cir. 1952) (stating that a motion to vacate under 28 U.S.C. § 2255 is the proper vehicle for challenging the constitutionality of a statute under which a defendant is convicted); *Ojo v. Immigration & Naturalization Serv.*, 106 F.3d 680, 683 (5th Cir. 1997) (explaining that the sentencing court is the only court with jurisdiction to hear a defendant's complaint regarding errors that occurred before or during sentencing).

Lastly, because there is no private right of action under 18 U.S.C. §§ 1001, 1512, 1513 and 1519, these claims, *see* Compl. at 2-3, too, will be dismissed. *See Peavey v. Holder*, 657 F. Supp. 2d 180, 190-91 (D.D.C. 2009), *aff'd*, No. 09-5389, 2010 WL 3155823, at \*1 (D.C. Cir. Aug 9, 2010) (*per curiam*).

The complaint will be dismissed, and an Order is issued separately.

DATE: *November 24, 2015*

  
United States District Judge