

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

BRADLEY HARBIN

PLAINTIFF

v.

NO. 2:15CV00090 JLH

UNITED STATES OF AMERICA

DEFENDANT

ORDER

On July 24, 2015, the United States of America filed a motion to dismiss this action for lack of subject matter jurisdiction. The declaration of Meredith Torres established that Bradley Harbin has not presented his claim to the appropriate federal agency, which in this instance would be the Department of Veterans Affairs, before filing suit. He has therefore failed to exhaust his administrative remedies. Consequently, the United States is immune from suit. The motion to dismiss is GRANTED. Document #10. This action is dismissed for lack of subject matter jurisdiction.

IT IS SO ORDERED this 13th day of August, 2015.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE