

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

REGINALD ROBINSON

PLAINTIFF

v.

No. 3:17-cv-15-DPM

PULASKI TECHNICAL COLLEGE

DEFENDANT

ORDER

Robinson has amended his complaint. But he has still not adequately pleaded facts that show either federal question jurisdiction or diversity jurisdiction. 28 U.S.C. §§ 1331 & 1332. He cites a federal regulation, 34 C.F.R. § 685.215, which governs the discharge of student loans when a school falsely certifies the student's eligibility, endorses the student's loan check, or signs the borrower's authorization for an electronic funds transfer. Robinson doesn't allege that Pulaski Tech did any of these things; he says the school gave his loan check to someone else, who cashed it. *No 6 at 4*. Even if this regulation was violated, it doesn't provide him a right to file this lawsuit—it spells out an administrative procedure involving the Secretary of the Department of Education for discharge of the loan. 34 C.F.R. § 685.215(c). Part of the regulation covers discharge for identity theft. 34 C.F.R. § 685.215(c)(4). But identity theft is a federal crime, punishable under 18

U.S.C. §§ 1028 & 1028A. Robinson can't prosecute a criminal case; he should turn to the appropriate authorities for help. Robinson's complaint will therefore be dismissed without prejudice.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

7 March 2017