

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

**MAY - 8 2009**

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

Jerry E. Robertson, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 Commonwealth of Kentucky, )  
 )  
 Defendant. )

Civil Action No. **09 0860**

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.

Plaintiff is a resident of Louisville, Kentucky, suing the Commonwealth of Kentucky. The crux of the complaint is to compel a "verdict" in plaintiff's lawsuit against Kentucky that this Court transferred to the Western District of Kentucky. Compl. at 1; *see Robertson v. Commonwealth of Kentucky*, Civ. Action No. 08-1527 (Transfer Order of September 25, 2008) [Dkt. No. 5]. This Court lacks subject matter jurisdiction to review the decisions (or lack thereof) of another court. *See* 28 U.S.C. §§ 1331, 1332 (general jurisdictional provisions); *Fleming v. United States*, 847 F. Supp. 170, 172 (D.D.C. 1994), *cert. denied* 513 U.S. 1150 (1995). Moreover, assuming that the complaint presents an exception to the Commonwealth's Eleventh Amendment immunity, *see Edelman v. Jordan*, 415 U.S. 651, 662-63 (1974) ("[A]n unconsenting State is immune from suits brought in federal courts by her own citizens as well as by citizens of another State.") (citations omitted); *Seminole Tribe of Florida v. Florida*, 517 U.S. 44, 55 (1996) (recognizing exceptions to state sovereign immunity), this Court determined in the

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earlier action that this venue is not proper for litigating plaintiff's claims. The complaint therefore will be dismissed. A separate Order accompanies this Memorandum Opinion.

Date: April 28, 2009

  
United States District Judge