

FILED

MAR 16 2010

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

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

Robert R. Matthews,)
)
 Plaintiff,)
)
 v.)
)
 Secretary of Veterans Affairs,)
)
 Defendant.)

Civil Action No. 10 0431

MEMORANDUM OPINION

Plaintiff has filed a pro se complaint and an application to proceed in forma pauperis. The application will be granted and the complaint will be dismissed for lack of jurisdiction.

Plaintiff is a veteran of the armed services with the service-connected disability. He objects to an advisory opinion issued by the central office of the Department of Veterans Affairs and to a determination of the date of receipt of claim or date entitlement arose in his case. *See* Compl. at 1-2. He seeks an order directing the defendant to correct the alleged errors. *Id.* at 2.

A federal district court is a court of limited jurisdiction, and it has jurisdiction expressly precludes review of the Secretary's decisions regarding a veteran's benefits.

The Secretary shall decide all questions of law and fact necessary to a decision by the Secretary under a law that affects the provision of benefits by the Secretary to veterans or their dependents or survivors of veterans. Subject to [certain enumerated exceptions], the decision of the Secretary as to any such question shall be final and conclusive and may not be reviewed by any other official or by any court, whether by an action in the nature of mandamus or otherwise.

38 U.S.C. § 511(a). As the exceptions to this provision do not appear applicable, the complaint must be dismissed for lack of subject matter jurisdiction.

A separate order accompanies this memorandum opinion.

Date: **3/9/10**


United States District Judge