LUCKY v. CAPITAL ONE BANK et al Doc. 3

FILED
NOV - 1 2011
Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MICHAEL R. LUCKY,	:	
Plaintiff,	:	
v.	:	Civil Action No. 11 1912
CAPITAL ONE BANK, *et al.*,	:	
Defendants.	:	

MEMORANDUM OPINION

This matter is before the Court on plaintiff's application to proceed *in forma pauperis* and *pro se* complaint. The application will be granted and the complaint will be dismissed.

Plaintiff's complaint describes his encounters with staff at a Capital One Bank branch in Washington, D.C., which culminated in his expulsion from the branch. Plaintiff "ask[s] the court to grant [him] 25000 dollars for conspiracy to organized crime which resaulted [sic] to mental anguish." Compl. at 12 (page number designated by the Court).

Federal district courts have jurisdiction in civil actions arising under the Constitution, laws or treaties of the United States. *See* 28 U.S.C. § 1331. In addition, federal district courts have jurisdiction over civil actions where the matter in controversy exceeds $75,000, and the suit is between citizens of different states. *See* 28 U.S.C. § 1332(a). This complaint neither states a federal claim, establishes diversity of citizenship of the parties, nor avers that the matter in controversy exceeds $75,000. Accordingly, the Court will dismiss this action for lack of subject matter jurisdiction. An Order accompanies this Memorandum Opinion.

Rosemary M Collyer
United States District Judge

DATE: 10/18/11

N

3

Dockets.Justia.com