

FILED

OCT 11 2012

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Warren H. Allen, Jr.,)
)
 Plaintiff,)
)
 v.)
)
 Secretary of Veterans Affairs)
 Eric Shinseki,)
)
 Defendant.)
 _____)

Civil Action No. **12 1676**

MEMORANDUM OPINION

This matter is before the Court on the plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant the plaintiff's application and dismiss the complaint for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3) (requiring dismissal of a case when jurisdiction is found wanting).

The plaintiff sues the Secretary of Veterans Affairs to collect his "pension with . . . 13 years['] back pay." Complaint at 1. "The district courts shall not have jurisdiction under this section ["United States as defendant"] of any civil action or claim for a pension." 28 U.S.C. § 1346(d) (2011). Therefore, this action will be dismissed. A separate Order accompanies this Memorandum Opinion.

DATE: October 10th, 2012


United States District Judge