

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

SEP 29 2020

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

JEFFREY R. SIMS, )  
)  
Plaintiff, )  
)  
v. )  
)  
DEPARTMENT OF )  
VETERANS AFFAIRS, )  
)  
Defendant. )  
)

Civil Action No. 1:20-cv-02449 (UNA)

**MEMORANDUM OPINION**

This matter is before the Court on plaintiff’s *pro se* complaint and application for leave to proceed *in forma pauperis* (“IFP”). The Court will grant the application for leave to proceed IFP and dismiss the complaint for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3) (requiring the court to dismiss an action “at any time” it determines that subject matter jurisdiction is wanting).

Plaintiff, a resident of Pueblo, Colorado, sues the Department of Veterans Affairs. He alleges that defendant has withheld reimbursement for certain medical expenses, which plaintiff and his caretaker have been forced to unfairly pay out of pocket. He believes that the refusal to reimburse is derived from discriminatory purpose. He requests special and punitive damages.

Challenges to decisions “affecting the provision of veterans’ benefits” are generally the exclusive province of the Court of Veterans Appeals and the United States Court of Appeals for the Federal Circuit. *Price v. United States*, 228 F.3d 420, 421 (D.C. Cir. 2000) (per curiam); *accord Hunt v. U.S. Dep’t of Veterans Affairs*, 739 F.3d 706, 707 (D.C. Cir. 2014) (per curiam) (citing 38 U.S.C. § 511(a)); *Thomas v. Principi*, 394 F.3d 970, 975 (D.C. Cir. 2005). “Benefit

