

ORIGINAL

In the United States Court of Federal Claims

No. 16-483C

(Filed: August 11, 2016)

CRAIG HENDRICKS,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

FILED

AUG 11 2016

**U.S. COURT OF
FEDERAL CLAIMS**

ORDER

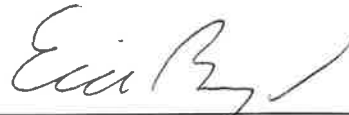
Plaintiff Craig Hendricks, who appears pro se, filed his complaint on April 18, 2016 alleging that Capital One unfairly sent his credit card balance to collections without first notifying him after he missed one payment. He seeks from Capital One damages amounting to \$1 million for harm to his reputation and seeks to have the Fair Credit Reporting Act (“FCRA”) amended or new legislation enacted to require creditors to “attempt discovery of reason for any late payment before turning any debt into collections.” Pl.’s Compl. at 1. Pending is defendant’s motion to dismiss for lack of subject-matter jurisdiction pursuant to Rule 12(b)(1) of the Rules of the United States Court of Federal Claims (“RCFC”). Plaintiff did not respond to the motion.

In its motion, defendant argues that this court lacks jurisdiction over claims against private parties and that only Congress, not this court, has been granted legislative powers to amend or enact legislation.

Defendant is correct. This court possesses jurisdiction to entertain claims against the United States, not against private parties. *Shalhoub v. United States*, 75 Fed. Cl. 584, 585 (2007) (“When a plaintiff’s complaint names private parties, or state agencies, rather than federal agencies, this court has no jurisdiction to hear those allegations.”). Thus, we lack jurisdiction over

plaintiff's claim against Capital One. In addition, we have no power to amend the FCRA or to enact new legislation as plaintiff requests; such power is vested in Congress. *See* U.S. CONST. art. I § 1 ("All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.").

We therefore grant defendant's motion to dismiss for lack of subject-matter jurisdiction. The clerk is directed to dismiss the complaint. No costs.



ERIC G. BRUGGINK

Judge