

# ORIGINAL

## United States Court of Federal Claims

No. 18-235 C

April 9, 2017

**D.J. DONNELLY,**  
*d/b/a Triumph Donnelly Studios LLC*

*Plaintiff,*

v.

**THE UNITED STATES,**

*Defendant.*

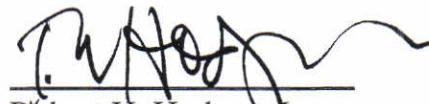
### **ORDER WAIVING FILING FEE AND DISMISSING CASE *SUA SPONTE***

Plaintiff's complaint alleges a violation of the Federal Tort Claims Act and acts of "negligence, careless conduct, wrongful [and] tortious conduct" by the United States Postal Service based on an allegation that the Postal Service lost "confidential movie materials." Plaintiff, who has appeared *pro se* and filed a motion to proceed *in forma pauperis*, is seeking \$50,000 in damages.

The United States Court of Federal Claims does not have jurisdiction to address claims submitted under the Federal Tort Claims Act. 28 U.S.C. § 1491(a) (2011); *Brown v. United States*, 105 F.3d 621, 623 (Fed. Cir. 1997). Even if plaintiff's allegations in the complaint are true, they do not give rise to a cause of action over which this court has subject-matter jurisdiction.

Plaintiff's motion to proceed *in forma pauperis* is GRANTED for the purposes of waiving its filing fee. The Clerk of Court will DISMISS plaintiff's complaint for lack of subject-matter jurisdiction pursuant to RFCF 12(b)(1).

**IT IS SO ORDERED.**



Robert H. Hodges, Jr.  
Senior Judge