

United States Court of Federal Claims

No. 18-638 C

Filed: October 4, 2018

MIGUEL CHAPPELL, *pro se*,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.


ORDER DISMISSING COMPLAINT

Plaintiff proceeding *pro se* in this matter, seeks compensation for alleged violations of his constitutional rights in connection with a traffic incident. He asserts that in October 2015, the United States performed an unconstitutional search and seizure of his vehicle and person, during which he was assaulted and harassed by police. Defendant filed a motion to dismiss pursuant to Rule 12(b)(1) for lack of subject matter jurisdiction.

This court has subject matter jurisdiction over certain claims against the United States that do not sound in tort. *See* 28 U.S.C. § 1491(a)(1). Plaintiff's complaint alleges actions by public officials that sound in tort, and his allegations do not otherwise come within our jurisdiction.

Plaintiff's motion to proceed *in forma pauperis* is **GRANTED**, based on a review of the sworn statements provided to the court. Defendant's motion to dismiss plaintiff's complaint for lack of subject matter jurisdiction is **GRANTED**. The Clerk of Court will **DISMISS** plaintiff's complaint pursuant to Rule 12(b)(1) of the rules of this court. No costs.

IT IS SO ORDERED.



Robert H. Hodges, Jr.
Senior Judge