

In the United States Court of Federal Claims

No. 19-455T
(Filed: May 3, 2019)

PATRICIA ANN DEAN,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER OF DISMISSAL

On May 21, 2019, Plaintiff, Patricia Ann Dean, acting *pro se*,¹ filed a Complaint with this Court alleging that the Defendant, the United States, denied her due process by taking Plaintiff's assets for the years 1986 through 2018 and requests damages in the amount of \$1,711,580.19. Compl. 1. Plaintiff has attached various documents to her complaint as "evidence of assets seized without jurisdiction." *See* Exhibits C-J.

Subject matter jurisdiction is a threshold matter which may be challenged at any time by a party or the court *sua sponte*. *Folden v. United States*, 379 F.3d 1344, 1354 (Fed. Cir. 2004). This Court does not have jurisdiction over due process because the Tucker Act requires that any viable claim be "money mandating." *See Jan's Helicopter Serv., Inc. v. FAA*, 525 F.3d 1299, 1309 (Fed. Cir. 2008). "The law is well settled that the Due Process clauses of both the Fifth and Fourteenth Amendments do not mandate the payment of money and thus do not provide a cause of action under the Tucker Act." *Smith v. United States*, 709 F.3d 1114, 1116 (Fed. Cir. 2013). Accordingly, the Court lacks jurisdiction to hear Plaintiff's due process claim and the case is **DISMISSED** for lack of jurisdiction. The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.


EDWARD J. DAMICH
Senior Judge

¹ Plaintiff has filed a Motion to Proceed *In Forma Pauperis*. As the Court is without jurisdiction to hear this case, the Court GRANTS the Motion for this limited purpose.

