

In the United States Court of Federal Claims

No. 20-816

Filed: August 7, 2020

_____)
BLACKFOOT APACHE)
ADMINISTRATION TRUST,)
)
Plaintiff,)
)
v.)
)
THE UNITED STATES,)
)
Defendant.)
_____)

ORDER DISMISSING CASE SUA SPONTE

On June 24, 2020, plaintiff, Blackfoot Apache Administration Trust, proceeding pro se, filed its Complaint with this Court. Rule 83.1(a)(3) of the Rules of the Court of Federal Claims (“RCFC”) states, in relevant part, that “[a]n individual who is not an attorney . . . may not represent a corporation, an entity, or any other person in any proceeding before this Court.” As the plaintiff is an Administrative Trust, plaintiff may not proceed as a pro se litigant. See RCFC 83.1(a)(3). Finally, in its Complaint, plaintiff’s claims appear to be against agents of the State of Texas or against individuals therein, rather than against the Federal Government. See Complaint at 1–3. While the Court declines to rule on the merits of plaintiff’s claims, it notes that this Court’s jurisdiction is limited to the review of claims against the United States for monetary damages—not sounding in tort—that are founded upon the Constitution, an Act of Congress, an executive department regulation, or an express or implied contract with the United States. See 28 U.S.C. § 1491(a)(1) (2018). As such, the Court lacks jurisdiction over claims against private individuals or state actors. See *id.*; see also *Fries v. United States*, No. 16-394, et al., 2016 U.S. Claims LEXIS 323, at *5 (FedS. Cl. Apr. 20, 2016) (holding, in part, that the Court lacks jurisdiction over claims against private individuals, as such claims are not cognizably against the United States).

For the forgoing reasons, plaintiff’s Complaint is hereby sua sponte **DISMISSED** without prejudice, pursuant to RCFC 41(b), for failure to comply with the filing requirements of this Court. The Clerk is directed to enter judgment consistent with this Order.

IT IS SO ORDERED.

Loren A. Smith

Loren A. Smith,
Senior Judge