

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CLINT PHILLIPS III,

Plaintiff,

v.

US AIR FORCE and SCOTT AIR FORCE
BASE,

Defendants.

Case No. 3:17-cv-01079-JPG-SCW

MEMORANDUM & ORDER

J. PHIL GILBERT, DISTRICT JUDGE

This matter comes before the Court on its own initiative for purposes of case management. The plaintiff, pro se, is attempting to sue the United States Air Force and Scott Air Force Base directly for a variety of intentional torts and housing discrimination. On October 16, 2017, the Court ordered the plaintiff to file an amended pleading that properly invoked federal subject-matter jurisdiction. (Doc. 6.) The plaintiff has responded (Doc. 7) by alleging a cause of action pursuant to 28 U.S.C. § 2680(h) and the “Civil Rights Act of 1964 Housing Discrimination”—the same statutes he cited in his original complaint. 28 U.S.C. § 2680(h) does not suffice, however, because it is a list of exceptions to the Federal Tort Claims Act—it has no bearing on whether a plaintiff may sue the United States Air Force directly for an intentional tort. Moreover, plaintiff has not alleged any facts that would invoke any Title within the Civil Rights Act of 1964 in this case. Because plaintiff has not cited any statute that would give this Court jurisdiction over the United States Air Force and Scott Air Force Base pursuant to these claims, this matter is **DISMISSED** without prejudice for lack of subject-matter jurisdiction and the Clerk of Court is **DIRECTED** to close this.

IT IS SO ORDERED.

DATED: October 24, 2017

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE