

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

EDDIE HAROLD BILLINGS, Jr.,)
vs.)
Plaintiff,)
ADVANCED BUSINESS ACCOUNTING)
SERVICES, INC.,)
Defendant.)
Case No. 1:13-cv-00682-TWP-TAB

Entry and Order Dismissing Action

I.

The plaintiff's motion to proceed *in forma pauperis* [Dkt. No. 2] is **granted**.

II.

A.

A district court possesses only the jurisdiction conferred to it by Congress.

See South Carolina v. Katzenbach, 383 U.S. 301 (1966).

Congress has conferred subject matter jurisdiction on the district courts only in cases that raise a federal question and cases in which there is diversity of citizenship among the parties. See 28 U.S.C. 1331-32.

Smart v. Local 702 Intern. Broth. of Elec. Workers, 562 F.3d 798, 802 (7th Cir. 2009).

Additionally, “[a] complaint must always . . . allege enough facts to state a claim to relief that is plausible on its face.” *Limestone Development Corp. v. Village of Lemont, Ill.*, 520 F.3d 797, 803 (7th Cir. 2008) (quoting *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007)). A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Ashcroft v.*

Iqbal, 129 S. Ct. 1937, 1949 (2009).

B.

The plaintiff sues Advanced Business Accounting Services, Inc., a firm located in Greenwood, Indiana. He alleges that in March he sent documents to an accountant and asked that the accountant file his taxes for him. He further alleges that his documents were not returned to him for his signature. The relief he seeks is “the updated correct docket or dockets.”

No federal question is invoked by the plaintiff’s allegations. The dismissal of the action for lack of jurisdiction is now mandatory.

III.

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 05/01/2013

Distribution:

Eddie Harold Billings, Jr.
905 W. Charles St., Apt. C
Muncie, IN 47307

Tanya Walton Pratt
Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana