

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

NATHAN TAYLOR

*

Plaintiff

*

v

*

Civil Action No.CCB-13-1657

BLUNT JANET

*

Defendant

*

MEMORANDUM

The above-captioned case was filed on June 7, 2013, together with a motion to proceed in forma pauperis. ECF No. 2. Because plaintiff appears to be indigent, his motion shall be granted.

Plaintiff claims defendant, who is apparently an employee of the Baltimore City Police Department, slandered him by including “Gay Street” on a police report concerning plaintiff. He states that the inclusion of “Gay Street” slanders his character because it brings to mind for all who read it that plaintiff is a homosexual.¹ The complaint fails to state a federal cause of action and must be dismissed.

First, defamation does not state a cognizable claim of constitutional dimension under the Civil Rights Act. *See Paul v. Davis*, 424 U.S. 693, 712 (1976). To the extent there exists a viable state law claim for the conduct alleged,² this court’s diversity jurisdiction requirements are not met in this case. Under 28 U.S.C. §1332(a), a federal district court has original jurisdiction over all civil actions where the amount in controversy exceeds \$75,000, exclusive of interest and

¹ Plaintiff includes other allegations that Baltimore City Police officers are telling women with whom he is involved not to consent to certain sexual acts.

² This court notes that “Gay Street” is a street in Baltimore City and the mention of the street name has no discernible defamatory or slanderous meaning.

costs, and is between citizens of different states. The statute “requires complete diversity among parties, meaning that the citizenship of every plaintiff must be different from the citizenship of every defendant.” *Central West Virginia Energy Co., Inc. v. Mountain State Carbon, LLC*, 636 F.3d 101, 103 (4th Cir. 2011), *citing Caterpillar, Inc. v. Lewis*, 519 U.S. 61, 68 (1996). Both plaintiff and defendant are citizens of Maryland.

A separate order dismissing the complaint and granting plaintiff’s motion to proceed in forma pauperis, follows.

June 24, 2013
Date

_____/s/_____
Catherine C. Blake
United States District Judge