

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

KARL MICHAEL JONES

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v.

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Civil Action No. CCB-16-35

UNIVERSITY OF MARYLAND MEDICAL
CENTER MIDTOWN CAMPUS,
MARCUS E. SMITH

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MEMORANDUM

Karl Michael Jones filed the complaint on January 6, 2016, together with a motion to proceed in forma pauperis and a motion to appoint counsel. Because he appears indigent, the court will grant the plaintiff's motion to proceed in forma pauperis. For the reasons stated below, the court will deny the plaintiff's motion to appoint counsel and dismiss the complaint.

Jones asserts he is "having [a] hard time trying to recover" from surgeries performed at University of Maryland Medical Center. (Compl. 2, ECF No. 1.) As part of his recovery, he needs to eat a balanced meal after drinking methadone. (*Id.*) He claims that Officer Smith told him he could not eat at the hospital anymore. (*Id.*) As relief, he seeks \$100 in damages and an injunction requiring staff to allow him to eat peacefully without harassment. (*Id.* at 3.)

As presented, the complaint does not present a federal question. The allegations do not state a colorable constitutional claim, nor do the allegations implicate a federal statutory right. Thus, there is no federal question jurisdiction over the matters raised.

Additionally, the court lacks diversity jurisdiction. 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 costs, and is between citizens of different states. The

