

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

GALA ABRAHAM

v.

SHAAVHREE BUCKMAN

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Civil No. – JFM-12-147

MEMORANDUM

Plaintiff instituted this action in the District Court of Maryland for Montgomery County seeking a peace order arising out of a dispute concerning her employment at the Food and Drug Administration. She obtained the peace order. She alleges that defendant, ShaAvree Buckman, M.D., her second-line supervisor, has been discriminating against her and harassing her. Dr. Buckman removed the action to this court, and has filed a motion to dismiss. Plaintiff, who is appearing *pro se*, after being advised of the consequences of a failure to do so, has not responded to the motion.

The motion is granted. It is clear that neither the District Court of Maryland for Montgomery County nor this court have subject matter jurisdiction. To the extent that plaintiff is asserting a claim under the Federal Tort Claims Act, plaintiff has not exhausted her administrative remedies as required by the FTCA. Moreover, the FTCA's waiver of immunity does not embrace assault claims, a claim asserted by plaintiff against Dr. Buckman. Finally, the FTCA does not provide for non-monetary relief.

To the extent that plaintiff is asserting a claim under Title VII of the Civil Rights Act, there is nothing in the record to suggest that she has exhausted her administrative remedies.

A separate order dismissing this action is being entered herewith.

Date: February 15, 2012

/s/

J. Frederick Motz

United States District Judge