

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
FRANTZ PIERRE BLASS, JR.,)	
)	
Plaintiff(s),)	
)	
v.)	Civil No. 23-12374-LTS
)	
ARCHDIOCESE OF BOSTON,)	
)	
Defendant.)	
_____)	

ORDER

November 14, 2023

SOROKIN, J.

Frantz Pierre Blass, Jr., proceeding *pro se*, initiated this action by filing a complaint accompanied by an Application to Proceed in District Court Without Prepayment of Fees or Costs (“Application”). Doc. Nos. 1, 2. By Memorandum and Order dated October 17, 2023, the Court allowed plaintiff’s Application and found that the allegations against the Archdiocese of Boston were insufficient to establish subject matter jurisdiction. Doc. No. 4. The Court ordered plaintiff to file, if he wishes to proceed with this action, an amended complaint that provides a basis for this Court’s subject matter jurisdiction and sets forth a plausible claim upon which relief may be granted. *Id.* The Court also noted that failure to comply on or before November 7, 2023, will result in the dismissal of this action. *Id.*

On October 23, 2023, plaintiff filed a letter. Doc. No. 5. Plaintiff states that he is writing “to amend [his] plea against the Archdiocese of Massachusetts” and contends that because his “case raises federal questions” he “believe[s] federal courts have exclusive jurisdiction in cases

involving the constitution.” *Id.* at 1. As for diversity jurisdiction, plaintiff states “that the amount in question is greater than \$75,000.” *Id.*

Even with the more liberal construction accorded a *pro se* litigant’s pleading, plaintiff still fails to provide a basis for this Court’s jurisdiction and fails to state any factual matter that, if accepted as true, would allow plaintiff to prevail on any identifiable cause of action. Given the fact that the defendant archdiocese is not a person and there are no facts alleged that the defendant falls under the “color of state law” within the meaning of 42 U.S.C. § 1983, the Court is without federal question jurisdiction pursuant to 28 U.S.C. § 1331. Although plaintiff contends the amount in controversy is over \$75,000, because both plaintiff and defendant are both located in Massachusetts, this Court is without diversity jurisdiction pursuant to 28 U.S.C. § 1332.

For these reasons, the Court DISMISSES this case for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(h)(3). The Clerk shall enter a separate order of dismissal.

SO ORDERED.

/s/ Leo T. Sorokin
Leo T. Sorokin
United States District Judge