

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Deon L. McQueen,

Plaintiff,

Case No: 16-12201

Hon. Victoria A. Roberts

v.

Eric Holder,

Defendant.

ORDER DISMISSING COMPLAINT

On June 15, 2016, Plaintiff Deon L. McQueen filed a Complaint *pro se*, alleging discrimination based on race and disparagement of character in the employment selection process. The Complaint is entirely devoid of facts.

McQueen fails to allege a basis for jurisdiction. Although he mentions race discrimination, he does not allege his claim arises under federal law and the Complaint has no factual detail. Similarly, McQueen fails to allege diversity jurisdiction under 28 U.S.C. §1332. His address is in Michigan but he does not allege his citizenship or the citizenship of Defendant. Finally, the complaint does not allege an amount in controversy.

The Court **DISMISSES** McQueen's complaint *sua sponte* for lack of jurisdiction. In general, a district court may not *sua sponte* dismiss a complaint where the filing fee has been paid unless the court provides the plaintiff the opportunity to amend the complaint. *Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999). However, the Court ". . . may, at any time, *sua sponte* dismiss a complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure when the allegations

of a complaint are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.” *Id.*

The allegations of the complaint are completely unsubstantial; the Court has no information regarding the alleged wrong or any surrounding circumstances. Additionally, without more, the bare allegation that the attorney general was the source of discrimination and disparagement is a frivolous claim.

This Complaint is Dismissed.

IT IS ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: June 22, 2016

The undersigned certifies that a copy of this document was served on the attorneys of record and Deon L. McQueen by electronic means or U.S. Mail on June 22, 2016.

S/Carol A. Pinegar
Deputy Clerk