

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

VIVIAN HOUSTON,)	
)	
Plaintiff,)	
)	
v.)	No. 4:13CV01338 DDN
)	
GERSHMAN INVESTMENT CORP.,)	
et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff’s motion for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Upon consideration of the financial information provided with the motion, the Court finds that plaintiff is financially unable to pay any portion of the filing fee. As a result, plaintiff will be granted leave to proceed in forma pauperis. Additionally, the Court has reviewed the complaint and will dismiss it for lack of jurisdiction.

Standard

Rule 12(h)(3) of the Federal Rules of Civil Procedure states: “If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.”

Discussion

Plaintiff alleges that her home was foreclosed upon in 2001 or 2002 and that she litigated a wrongful foreclosure action in state court. Plaintiff claims that her claims were denied and she lost her home. Plaintiff asserts that defendants committed fraud in the state court action.

Federal district courts are courts of original jurisdiction; they lack subject matter jurisdiction to engage in appellate review of state court decisions. Postma v. First Fed. Sav. & Loan, 74 F.3d 160, 162 (8th Cir. 1996). “Review of state court decisions may be had only in the Supreme Court.” Id. As a result, the Court lacks jurisdiction over claims in the complaint.

Moreover, the Court cannot envision any amendment to the complaint that might give rise to federal court jurisdiction. As a result, the Court will dismiss this action without further proceedings.

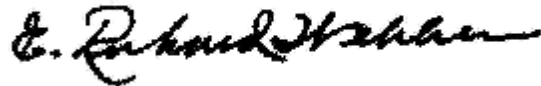
Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion to proceed in forma pauperis [ECF No. 2] is **GRANTED**.

IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice.

An Order of Dismissal shall accompany this Memorandum and Order.

So Ordered this 18th day of July, 2013.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE