

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

MEMORANDUM AND ORDER

This matter is before the Court on review of the complaint [Doc. 1]. Plaintiff has not stated a basis for this Court's jurisdiction, and after reviewing the pleading, the Court finds that none exists.

Under Rule 12(h)(3) of the Federal Rules of Civil Procedure, the Court is required to review all new cases for subject matter jurisdiction and to dismiss any action where subject matter jurisdiction is lacking. Having carefully reviewed plaintiff's allegations regarding the unfairness of and her failure to prevail in Missouri Small Claims Court, this Court concludes that it lacks subject matter jurisdiction over this 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).

Accordingly,

IT IS HEREBY ORDERED that petitioner's motion to proceed in forma pauperis [Doc. 2] is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk shall not issue process or cause process to issue upon the complaint, because the Court lacks jurisdiction over this action. See 28 U.S.C. § 1915(e)(2)(B).

A separate Order of Dismissal shall accompany this Memorandum and Order.

Dated this 29th day of September, 2015.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE