

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

KENNETH WAYNE LEWIS,

Plaintiff,

v.

JEFF SESSIONS, et al.,

Defendants.

HONORABLE ROBERT B. KUGLER

No. 17-4240 (RBK-JS)

OPINION

KUGLER, District Judge

This matter comes before the Court on Plaintiff Kenneth Wayne Lewis' submission captioned as a "Criminal Complaint" alleging mail tampering, mail fraud, fraudulent misrepresentations, and interference with his access to the courts.

1. In an order dated August 29, 2017, the Court advised Plaintiff that he could not bring criminal charges in this court, but he could bring a civil rights action brought pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). The Court directed Plaintiff to advise it if he wanted the Court to construe his complaint as a civil rights action.

2. In response to the Court's order, Plaintiff emphatically stated "this is a Criminal Matter not a Civil rights violation" and "there is no claim to be filing a *Bivens*."

3. The Court will therefore dismiss the complaint for lack of jurisdiction without filing the complaint as Plaintiff cannot bring a criminal matter in federal court, *see Dicent v. Sears Holdings*, No. 3:17-CV-332, 2017 WL 1045066, at *5 (M.D. Pa. Feb. 27, 2017) (citing cases), *report and recommendation adopted*, No. 3:17-CV-00332, 2017 WL 1042470 (M.D. Pa. Mar. 17, 2017), and he does not want to pursue a civil rights action.

4. An appropriate order follows.

Date: September 21, 2017

s/RobertKugler

ROBERT B. KUGLER

U.S. District Judge