

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROBERT WORKMAN,)	
)	
Plaintiff)	
)	
v.)	Case No. 06-232 Erie
)	
WPE BOOKS & MAGAZINES,)	
)	
)	
Defendant)	
)	

MEMORANDUM OPINION AND ORDER

Plaintiff, Robert Workman, instituted this lawsuit on October 10, 2006 by filing an Application to Proceed In Forma Pauperis (Doc. #1). Plaintiff is an inmate at State Correctional Institute (“SCI”) Greene, located at 175 Progress Drive, Waynesburg, Pennsylvania 15370. Attached to Plaintiff’s Application to Proceed In Forma Pauperis is Plaintiff’s Complaint. Named as the Defendant is WPE Books and Magazines. Plaintiff lists the Defendant’s address as P.O. Box 250, Tuckahoe, New Jersey 08250.

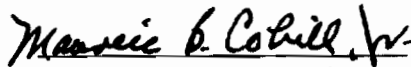
Plaintiff’s claim against the Defendant is that: “WPE Books & Magazines sent a letter [on June 15, 2006] stating I was to be sent a 6.00 dollar refund for books returned to them. I wrote many letters to WPE Book Magazines Company to get the refund but WPE Books Magazines did not return any response to send the refund.” Plaintiff’s request for relief is that “the Court order WPE Books Magazines Company to pay the 6.00 dollar refund plus 750.00 for the pain and suffering I have been through.”

Federal district courts are courts of limited subject matter jurisdiction. As pled, Plaintiff's Complaint does not allege facts which support this Court having subject matter jurisdiction over Plaintiff's claim. See 28 U.S.C. §§ 1330-1369. As this Court does not have subject matter jurisdiction over Plaintiff's Complaint, Plaintiff's Complaint must be dismissed. Plaintiff's Motion to Proceed In Forma Pauperis is denied as moot. An appropriate order follows:

AND NOW, this 12th day of October, 2006, it is hereby ORDERED, ADJUDGED, AND DECREED that for the reasons set forth above, Plaintiff's Complaint against Defendant WPE Books & Magazines is DISMISSED.

It is further ORDERED, ADJUDGED AND DECREED that Plaintiff's Application to Proceed In Forma Pauperis (Doc. #1) is DENIED as MOOT.

The Clerk of Court shall mark this case "CLOSED."


Judge Maurice B. Cohill, Jr.
Senior District Court Judge

cc: Robert Workman
SCI Greene
175 Progress Drive
Waynesburg, PA 15370