

FILED

JAN - 8 2009

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**Clerk, U.S. District and
Bankruptcy Courts**

Ann Powers,

Plaintiff,

v.

Washington Metropolitan Area Transit
Authority *et al.*,

Defendants.

Civil Action No. **09 0026**

MEMORANDUM OPINION

The plaintiff has filed a *pro se* complaint and an application to proceed *in forma pauperis*. The Court will grant the application, and dismiss the complaint.

The complaint, which identifies the plaintiff as the daughter of Elvis Presley and Marilyn Monroe, states that plaintiff applied to the Washington Metropolitan Area Transit Authority for a disability rider's pass, but was denied. However, the complaint does not allege that plaintiff was discriminated against on the basis of a disability from which she suffers. Accordingly, the complaint will be dismissed for failure to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2)(B)(ii).

The complaint could conceivably be construed to state a claim that the individual defendant, apparently a WMATA employee, threatened the plaintiff with physical harm. Even so construed, the complaint would have to be dismissed for lack of federal jurisdiction.

A separate order accompanies this memorandum opinion.

Date: 12/9/08


United States District Judge