

FILED

AUG 27 2009

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

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

ISILDA T. BRISSETT,

Plaintiff,

v.

Civil Action No. **09 1629**

ALEXANDRIA GENERAL DISTRICT
COURT, *et al.*,

Defendants.

MEMORANDUM OPINION

This matter comes before the Court on consideration of plaintiff's application to proceed *in forma pauperis* and *pro se* complaint. The Court will grant the application, and dismiss the complaint.

Plaintiff alleges that she was charged with and pled guilty to one count of riding a Virginia Railway Express train without payment in violation of Va. Code § 18.2-160.1. Although plaintiff had obtained a ticket, she states that she neglected to validate her ticket before boarding. In this action, plaintiff demands that this court dismiss the charges against her and that she be relieved of her obligation to pay a penalty of \$150 plus \$71 for court costs as the General Circuit Court in Alexandria, Virginia has ordered.

Generally, a federal district court has jurisdiction to hear matters involving questions of federal or constitutional law, *see* 28 U.S.C. § 1331, and matters involving parties who reside in different states where the amount in controversy exceeds \$75,000, *see* 28 U.S.C. § 1332. Keeping in mind that pleadings filed by *pro se* litigants are held to less stringent standards than

pleadings prepared by lawyers, *see Haines v. Kerner*, 404 U.S. 519, 520 (1972), the Court identifies no basis for its jurisdiction. This matter does not present a federal question. Because all parties either reside in or conduct business in Virginia, and the amount in controversy does not exceed \$75,000, this Court does not have diversity jurisdiction in this matter. Moreover, this federal district court is without jurisdiction to review the rulings of the General District Court. Rather, such an appeal properly is brought before the Alexandria Circuit Court. *See* Va. Code § 16.1-132.

The Court will dismiss this action for lack of subject matter jurisdiction. An Order consistent with this Memorandum Opinion is issued separately.

SO ORDERED.

DATE: 8/18/09



United States District Judge