

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

JAMES H. TYLER,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 06-1733 (JR)
	:	
DISTRICT OF COLUMBIA,	:	
	:	
Defendant.	:	

**MEMORANDUM**

In his opposition to the District's motion for summary judgment, plaintiff says that he really meant to sue for trespass and willful destruction of private property but "inadvertently" sued for discrimination (on the basis of race, color, religion, sex and national origin). Plaintiff might be able to file the suit he intended to file, but he would have to file it in Superior Court, because it is clear that this Court does not have jurisdiction to hear it. Although plaintiff gives a Maryland address in his complaint, he insisted in open court on May 16, 2007, that he in fact lives in the District of Columbia residence where, he alleges, trees were wrongfully cut down, flowers uprooted, etc. Moreover, although plaintiff asserts a fanciful damage figure of \$500 million, his claim cannot realistically begin to approach the minimum jurisdictional *ad damnum* amount of

\$75,000. The lack of diversity jurisdiction is thus apparent on the record, and this case will be **dismissed**.

JAMES ROBERTSON  
United States District Judge