

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

APR 11 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

Julia Miller,

Plaintiff,

v.

Department of Human Services, *et al.*,

Defendants.

Civil Action No.

08 0631

MEMORANDUM OPINION

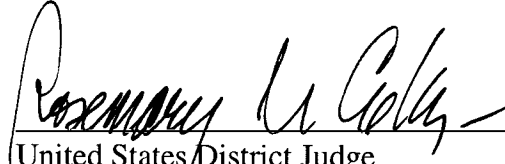
This matter comes before the Court upon review of plaintiff's application for leave to proceed *in forma pauperis* and *pro se* complaint. The application will be granted but the complaint will be dismissed.

Plaintiff's claims appear to arise from the decisions of courts and local government agencies in Detroit and Wayne County, Michigan, pertaining to the custody of her five minor children and the disposition of marital property. It appears that plaintiff requests a restraining order against her husband and the permanent custody of her children. Plaintiff provides both a District of Columbia and a Detroit, Michigan address; her spouse, children and the other defendants appear to reside or conduct business in Michigan.

Federal district courts have jurisdiction in civil actions arising under the Constitution, laws or treaties of the United States. *See* 28 U.S.C. § 1331. In addition, federal district courts have jurisdiction over civil actions where the matter in controversy exceeds \$75,000, and is between citizens of different states. *See* 28 C.F.R. § 1332(a). Plaintiff's claims pertaining to child custody and marital property do not raise a federal question. Although plaintiff and

defendants may reside in different states, it is unclear whether the amount plaintiff demands meet the threshold of \$75,000.

Accordingly, the Court will dismiss the complaint without prejudice for lack of subject matter jurisdiction. An Order consistent with this Memorandum Opinion is issued separately.


United States District Judge

DATE: 3/20/08