

IKEADE AWOGBADE,
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:
Plaintiff, :
:
v. : Civil Action No.: 08-1120 (RMU)
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:
PRINCE GEORGE’S COUNTY SHERIFF :
et al., :
:
Defendants. :

The defendants filed a motion to dismiss asserting several grounds, including asserting that this Court lacks subject matter jurisdiction. The plaintiff was provided an opportunity to respond, and has not done so. Because it is not clear that this Court has subject matter jurisdiction over this action, the case will be dismissed without prejudice.

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. Here, however, the complaint does not identify a federal statute, a provision of the Constitution, or a treaty under which this case arises. Nor does the complaint provide sufficient information for the Court to discern a basis for its jurisdiction. The complaint alleges, very vaguely, that law-enforcement officials mistreated the plaintiff, suggesting that this might be a claim brought under 42 U.S.C. § 1983. However, § 1983 actions may be asserted against persons only, not against sovereigns, and the plaintiff has not identified any persons who allegedly inflicted the injuries alleged. Accordingly, the Court is unable to discern a federal question that provides a basis for its jurisdiction.

Federal district courts also have jurisdiction over civil actions in matters where the controversy exceeds \$75,000 and is between citizens of different states. *See* 28 U.S.C. §1332(a). Here, the citizenship of the parties is not clear, but the available information suggests that the plaintiff and the defendant are citizens of the same state. Accordingly, the Court will dismiss the complaint without prejudice for lack of subject matter jurisdiction. An appropriate order accompanies this memorandum opinion.

RICARDO M. URBINA
United States District Judge