

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FILED

AUG - 7 2008

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

KEVIN MICHAEL JONES,

Plaintiff,

v.

JORGE ALBERTO AVALOS *et al.*,

Defendants.

Civil Action No.

08 1370

MEMORANDUM OPINION

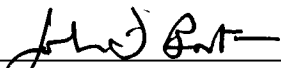
This matter comes before the Court on consideration of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant the application, and dismiss the complaint for lack of jurisdiction.

Unlike state courts of general jurisdiction, federal district courts have limited jurisdiction. A federal district court has 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 refers to an underlying tort action against two non-federal defendants, an individual and the Washington Metropolitan Area Transit Authority ("WMATA"), and to plaintiff's dissatisfaction with the courts in the State of Virginia, neither of which is a matter arising under federal law.

A federal district court also has jurisdiction over civil actions in matters where the controversy exceeds \$75,000 and where there is complete diversity of citizenship among the parties. *See* 28 U.S.C. § 1332(a). Here it appears that one of the defendants, WMATA, and the plaintiff are both citizens of the District of Columbia, and therefore, complete diversity of citizenship among the parties is lacking.

Accordingly, the Court will dismiss the complaint, without prejudice, for lack of subject matter jurisdiction. An appropriate order accompanies this memorandum opinion.

Date: July 29, 2008

  
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United States District Judge