

FILED

OCT 7 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STANLEY HOUSTON,

Plaintiff,

v.

CONNECTION MENTAL HEALTH
SERVICES OF OHIO,

Defendant.

Civil Action No. 08 1706

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 to proceed *in forma pauperis*, 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 appears to focus on the conduct of a state or private mental health agency, which does not implicate the Constitution, laws or treaties of the United States.

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* 28U.S.C. § 1332(a). Here, the plaintiff states no demand for damages and it appears that both the plaintiff and the defendant are citizens of the state of Ohio. Therefore, both the threshold amount in controversy and 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 related order accompanies this memorandum opinion.

Date:

9/18/08

Eric S. Hucker
United States District Judge