FILED

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

NOV - 6 2008

NANCYA	MAYER WHITTINGTON,	CLERK
,	J.S. DISTRICT COURT	

Roger B. Hargrave,)	NANUY	U.S. DISTRICT COURT	
Plaintiff,)			
v.)	Civil Action No.	08 1919	
Washington Hospital Center,)			
Defendant.)			

MEMORANDUM OPINION

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

The subject matter jurisdiction of the federal district courts is limited and is set forth generally at 28 U.S.C. §§ 1331 and 1332. Under those statutes, federal jurisdiction is available only when a "federal question" is presented or the parties are of diverse citizenship and the amount in controversy exceeds \$75,000. A party seeking relief in the district court must at least plead facts that bring the suit within the court's jurisdiction. See Fed. R. Civ. P. 8(a). Failure to plead such facts warrants dismissal of the action. See Fed. R. Civ. P. 12(h)(3).

Plaintiff is a prisoner incarcerated in Cumberland, Maryland. He seeks to obtain thirdparty medical records from Washington Hospital Center located in Northwest Washington, D.C. as part of discovery in a pending civil action in the Circuit Court for Prince George's County, Maryland, where he is proceeding as a defendant pro se. Plaintiff seeks to compel Washington Hospital Center to release the requested medical records and to waive any copying costs, but he has not provided a basis for this Court's jurisdiction, which, for mandamus relief, is limited to

federal officials. 28 U.S.C. § 1361. Accordingly, the complaint will be dismissed by separate Order issued contemporaneously.

Date: October ________, 2008

United States District Judge