

GAIL ROYSTER,
Plaintiff,
v.
BOARD ON PROFESSIONAL
RESPONSIBILITY, *et al.*,
Defendants.

Pending before the Court are the motions to dismiss of defendants Board on Professional Responsibility, Elizabeth A. Herman, Elizabeth J. Branda, Charles J. Willoughby, the District of Columbia Court of Appeals, Garland Pinkston, Jr., and Ernest W. Brooks (collectively, "defendants"). Upon consideration of the motions, the responses and replies thereto, the applicable law, and for the following reasons, the Court hereby **GRANTS** defendants' motions to dismiss 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 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).

In this case, plaintiff, a Maryland resident, filed a complaint that consists solely of the following statements:

I am charging Elizabeth A. Herman with falsely submitting my case without consent [sic] to the Petition of Negotiated Discipline hearing committee #4 on March 17th, 2009 with false information and continuing to carry it wrong [sic] thereafter to the court of appeals.

- Falsifying legal documents, tampering, misrepresentation, negligence.
- I would like justice and compensation for damages.
- I request a jury trial.
- Money is negotiable.

Compl. at 2. The Court finds that this complaint neither presents a federal question nor provides a basis for diversity jurisdiction as plaintiff has failed to allege that the amount in controversy exceeds \$75,000. Accordingly, the Court lacks subject matter jurisdiction over plaintiff's action. Because plaintiff's recourse lies, if at all, in the Superior Court of the District of Columbia, the Court **GRANTS** defendants' motions to dismiss. A separate Order of dismissal accompanies this Memorandum Opinion.

SO ORDERED.

Signed: EMMET G. SULLIVAN
United States District Judge
November 2, 2010

Notice to:
GAIL ROYSTER
26 Nancy Court
Baltimore, MD 21237