

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

APR 20 2010

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

Habtamu Daniel,

Plaintiff,

v.

D.C. Public Housing Authority,

Defendant.

Civil Action No.

**10 0613**

MEMORANDUM OPINION

The plaintiff has filed a pro se complaint and an application to proceed in forma pauperis. The application will be granted and the complaint will be dismissed for lack of jurisdiction.

In his complaint, the plaintiff alleges that he filed an application with the defendant in 2004 seeking low income public housing and was interviewed in 2007, but despite asking for priority treatment due to being mentally ill and living in a shelter, he has not yet been placed in public housing. Compl. at 1. As relief, the plaintiff “want[s] the court to force this agency and to offer me a house with the rent paid since I had an interview in 2007.” *Id.*

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 arise from the alleged decisions made by the District of Columbia Housing Authority, which is a department of the government of the District of Columbia, not a federal agency or department. The allegations in the complaint regarding the plaintiff’s application for low income public housing do not appear to allege a violation of the Constitution, laws or treaties of the United States.

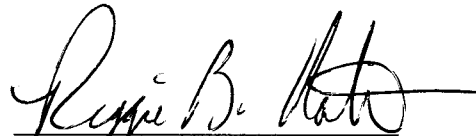
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A federal district court also has jurisdiction over civil actions in matters where the controversy exceeds \$75,000 and where there is complete diversity of citizenship among the parties. *See* 28 U.S.C. § 1332(a). Here, it appears that the plaintiff and the defendant are both citizens of the District of Columbia, not of different states. In addition, the plaintiff has not alleged that the amount in controversy is greater than \$75,000.

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

Date: *April 12, 2010*

  
United States District Judge