UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

FILED MAY ~ 5 2010

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

Neil A. Floyd,)	
Plaintiff,)	
v.) Civil Action No.	10 0717
District of Columbia Government Child Support Office,))	
Defendant.)	

MEMORANDUM OPINION

This matter is before the Court on the plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant the 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).

The plaintiff, a District of Columbia resident, seeks an order to compel the District's Child Support Office to reimburse him for \$210,000 that he alleges that office has acknowledged he is owed for overpayment of child support. The complaint presents neither a federal question nor a basis for diversity jurisdiction because the parties are not of diverse citizenship. The



plaintiff's recourse lies, if at all, in the Superior Court of the District of Columbia. Accordingly, the complaint will be dismissed.

United States District Judge

Date: April <u>13</u>, 2010

¹ A separate Order accompanies this Memorandum Opinion.