

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

**AUG - 9 2010**

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

Angela Denise Nails,

Plaintiff,

v.

United States Department of Labor,

Defendant.

Civil Action No.

**10 1331**

MEMORANDUM OPINION

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

Plaintiff is a resident of Napier Field, Alabama, suing the Department of Labor ("DOL") for what appears to be a workers' compensation claim stemming from an alleged burn to her leg suffered on the job. She appears to fault her unidentified employer for failing "to file the proper documents" with DOL's Office of Workers' Compensation Program. *See* Compl. ¶¶ 17-19. The cryptic complaint allegations fail to provide a basis for this court to exercise jurisdiction.<sup>1</sup> To the extent that plaintiff is challenging a decision about workers' compensation benefits, the "[Federal Employees Compensation Act] contains an 'unambiguous and comprehensive' provision barring any judicial review of the Secretary of Labor's determination of FECA coverage." *Southwest Marine, Inc. v. Gizoni*, 502 U.S. 81, 90 (1991) (citing *Lindahl v. Office of Personnel Management*, 470 U.S. 768, 780, and n. 13 (1985); 5 U.S.C. § 8128(b)); *see Heilman v. U.S.*, 731

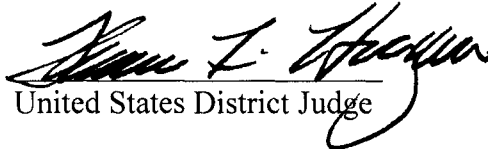
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<sup>1</sup> Plaintiff invokes the Constitution, but she has stated no facts to support a constitutional violation.

F.2d 1104, 1109 (3rd Cir. 1984) (the Secretary of Labor administers the FECA and "is the ultimate arbiter of the amount, if any, of compensation" awarded thereunder). The Court therefore concludes that it lacks subject matter jurisdiction over the complaint. A separate Order of dismissal accompanies this Memorandum Opinion.

Date:

July 29, 2010

  
United States District Judge