FILED

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

SEP 1 6 2010

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

Monica Stitt, Plaintiff, v.)))))	Civil Action No.	ic	1563
Ida Lee Prioleau,)			
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, a resident of Gaithersburg, Maryland, sues a District of Columbia resident for custody and guardianship of her son. The complaint neither presents a federal question nor provides a basis for diversity jurisdiction because there is no amount in controversy. Plaintiff apparently has been heard by the Superior Court of the District of Columbia but is dissatisfied with the outcome of proceedings there. *See* Compl. ¶¶ 5, 10-17. Her recourse lies, if at all, in

the District of Columbia Court of Appeals. A separate Order of dismissal accompanies this

Memorandum Opinion.

Date: September _______, 2010

United States District Judge