

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

SEP 17 2010

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

LaVonne Davis,

Plaintiff,

v.

The House of Representatives
Eleanor Holmes Office,

Defendant.

Civil Action No.

10 1574

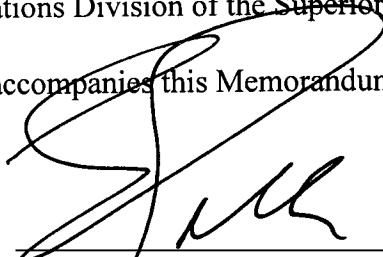
MEMORANDUM OPINION

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 the District of Columbia, sues District of Columbia Congresswoman Eleanor Holmes Norton because her staff allegedly "[was] not able to assist [plaintiff]" with locating her children placed in foster care. Compl. at 3. The complaint neither presents a federal question nor provides a basis for diversity jurisdiction because the parties are

not of diverse citizenship and plaintiff has stated no amount in controversy. Plaintiff's recourse may lie, if at all, in the Family Court Operations Division of the Superior Court of the District of Columbia. A separate Order of dismissal accompanies this Memorandum Opinion.


United States District Judge

Date: September 14, 2010