

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

OCT 28 2010

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

ANTONIO COLBERT,

Plaintiff,

v.

BURGER KING,

Defendant.

Civil Action No.

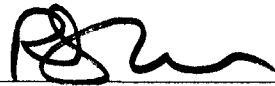
**10 1838**

**MEMORANDUM OPINION**

This matter comes before the court on review of plaintiff's application to proceed *in forma pauperis* and *pro se* civil complaint. The court will grant the application, and dismiss the complaint.

Plaintiff alleges that Burger King employees have harassed, insulted and threatened him, and he demands damages of \$50,000. Compl. at 2. Federal district courts have jurisdiction in civil actions arising under the Constitution, laws or treaties of the United States. *See* 28 U.S.C. § 1331. In addition, federal district courts have jurisdiction over civil actions where the matter in controversy exceeds \$75,000, and the suit is between citizens of different states. *See* 28 U.S.C. § 1332(a). The complaint neither states a federal claim nor establishes diversity of citizenship. Accordingly, the Court will dismiss this action for lack of subject matter jurisdiction.

An Order consistent with this Memorandum Opinion is issued separately.



United States District Judge

DATE:

10/20/10

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