

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAY 16 2011

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

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|----------------------------|---|--------------------------|
| ANTHONY ANTONIO MARTIN, | : | |
| | : | |
| Plaintiff, | : | |
| v. | : | Civil Action No. 10-1957 |
| | : | |
| D.C. JAIL, <i>et al.</i> , | : | |
| | : | |
| Defendants. | : | |

MEMORANDUM OPINION


The Court dismissed this action without prejudice because plaintiff did not submit a certified copy of his trust fund account statement, including the supporting ledger sheets, for the six-month period immediately proceeding the filing of his complaint, as is required under 28 U.S.C. § 1915(a)(2). Plaintiff since has submitted the required financial information, and this matter is before the Court on plaintiff's "Motion [to] Keep Case Open." The Court will grant this motion, grant plaintiff's motion for leave to proceed *in forma pauperis*, and dismiss this action without prejudice for lack of subject matter jurisdiction.

Plaintiff, who currently is detained at the D.C. Jail, brings this action against the institution, the District of Columbia Department of Corrections and Sgt. Hazel Lee. He appears to allege that Sgt. Lee misconstrued an inmate grievance he submitted, and now demands compensation of \$250,000.00.

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). This complaint neither states a

federal claim nor establishes diversity of citizenship of the parties. Accordingly, the Court will dismiss this action for lack of subject matter jurisdiction.

An Order accompanies this Memorandum Opinion.


United States District Judge

DATE:

5/12/11