

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

APR 21 2011

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

Morris Speight, Jr.,

Plaintiff,

v.

Ms. Ward *et al.*,

Defendants.

Civil Action No. 10-2333 (UNA)

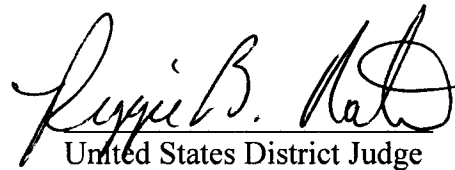
MEMORANDUM OPINION

This matter is before the Court on review of the plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The application will be granted and the complaint will be dismissed for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3) (requiring the court to dismiss an action "at any time" it determines that subject matter jurisdiction is wanting).

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).

The plaintiff is an inmate at the District of Columbia's Central Detention Facility ("CDF"). He sues two CDF employees for allegedly refusing to allow him use of the law library. The plaintiff alleges that in October 2010, he "was granted a court order by the Honorable Judge Milliken" of the Superior Court of the District of Columbia, presumably concerning the plaintiff

having access to the law library. Complaint for Violation of Civil Rights at 5. Although he has neither provided the order to this Court nor stated its content, the plaintiff claims that the defendants “disrespected” him and Judge Milliken “by not allowing [him] law library services threw [sic] the Honorable Judge Milliken’s court order.” *Id.* The plaintiff wants “the Government to fire” the defendants and to replace them with “someone who do [sic] not mine [sic] helping the inmates [at CDF], and to allow [him] to use the law library for an hour Monday threw [sic] Thursday” *Id.* The complaint neither presents a federal question nor provides a basis for diversity jurisdiction. It therefore will be dismissed. A separate Order accompanies this Memorandum Opinion.


United States District Judge

DATE: April 14, 2011