

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JUN - 8 2011

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

LLOYD J. FLEMING,

Plaintiff,

v.

OFFICE WALTER W. TWEEDY, *et al.*,

Defendants.

Civil Action No.

11 1055

MEMORANDUM OPINION

This matter is before the Court upon consideration of plaintiff's application to proceed *in forma pauperis* and his *pro se* complaint. The application will be granted, and the complaint will be dismissed.

Plaintiff alleges that his neighbors are "assaulting[,], intimidating[, and] e[.]mitting . . . electric radiation wave with sound, day and night, from apartments 315 and 115, to provoke violants [sic] on [his] part, for the two years [he has] lived in the building, being tormented." Compl. at 3. Among other relief, he demands "a full investigation, the arrest, prosecution, and conviction" of the defendants "with compensation for [his] suffering and pain, hardship, and the defamation of [his] character." *Id.*

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). Notwithstanding plaintiff's bald assertion of "[t]he infringement . . . of [his] constitutional rights to the justice system," Compl. at 2, it does not appear that the complaint states a federal claim. And because all the parties appear

to reside or conduct business in the District of Columbia, *see id.* at 1 (caption), plaintiff does not establish diversity of citizenship. Accordingly, the Court will dismiss this action for lack of subject matter jurisdiction.

An Order accompanies this Memorandum Opinion.


United States District Judge

DATE:

5/25/11