

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED
11-8-2011
Clerk U.S. District Bankruptcy
Court of the District of Columbia

Irina Valkova,

Plaintiff,

v.

Petar M. Valkov,

Defendant.

Civil Action No.

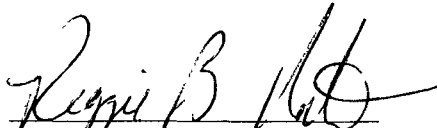
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MEMORANDUM OPINION

This matter is before the Court on the plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant the plaintiff's application and dismiss the complaint 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, a resident of Wahpeton, North Dakota, sues a resident of Fargo, North Dakota, over child custody matters. The complaint neither presents a federal question nor provides a basis for diversity jurisdiction because the parties reside in the same state and no amount in controversy is pled. A separate Order of dismissal accompanies this Memorandum Opinion.


United States District Judge

DATE: September 8, 2011