

FILED

NOV - 1 2011

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

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MICHAEL R. LUCKY,

Plaintiff,

v.

CAPITAL ONE BANK, *et al.*,

Defendants.

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Civil Action No.

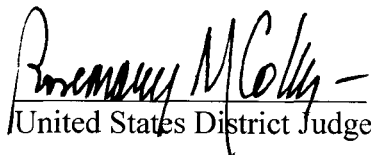
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MEMORANDUM OPINION

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

Plaintiff's complaint describes his encounters with staff at a Capital One Bank branch in Washington, D.C., which culminated in his expulsion from the branch. Plaintiff "ask[s] the court to grant [him] 25000 dollars for conspiracy to organized crime which resaulted [sic] to mental anguish." Compl. at 12 (page number designated by the Court).

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, establishes diversity of citizenship of the parties, nor avers that the matter in controversy exceeds \$75,000. Accordingly, the Court will dismiss this action for lack of subject matter jurisdiction. An Order accompanies this Memorandum Opinion.


United States District Judge

DATE: 10/18/11

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