

FILED

DEC 15 2011

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

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

SHAWN MARTIN FINCH,

Plaintiff,

v.

CATHOLIC CHARITIES,

Defendant.

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Civil Action No.

11 2230

MEMORANDUM OPINION


This matter is before the Court on plaintiff's application to proceed *in forma pauperis* on a *pro se* complaint. The Court will grant the application, and will dismiss this action.

Plaintiff alleges that he was assaulted by two special officers employed at a facility operated by Catholic Charities in Washington, D.C.

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). Although plaintiff purports to assert rights protected under the First, Eighth, and Ninth Amendments to the United States Constitution, none appears to apply to the incident described in the complaint. Even if the complaint were amended to include a demand for damages in excess of \$75,000, plaintiff does not establish diversity of citizenship. Accordingly, the Court will dismiss the complaint for lack of subject matter jurisdiction. An Order is issued separately.

DATE:

12/13/2011


United States District Judge