UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

DEC 2 1 2011

Abdul Ayat Mohammed Bey a.k.a.   )
Ronald B. Britt-Bey,   )
)
        Plaintiff,   )
)
    v.   )   Civil Action No. **11 2270**
)
Federal Communications Commission *et al.*,)
)
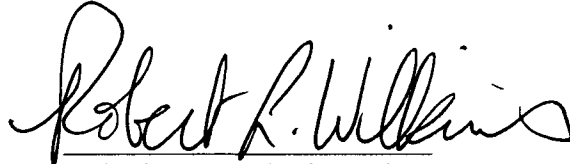   Defendants.   )

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint and

application to *proceed in forma pauperis*. The application will be granted and the case will be

dismissed for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3) (requiring

dismissal of an action "at any time" the Court determines that it lacks subject matter jurisdiction).

The plaintiff purports to sue the Federal Communications Commission and the Federal

Trade Commission for allegedly failing "to investigate and enforce rules, regulations and laws of

[their] federal agencies[.]" Compl. at 1. The disjointed complaint is mostly incomprehensible,

but plaintiff is seeking a minimum of $10 million in monetary damages. *See id.*

A claim for monetary damages against the United States is cognizable under the Federal

Tort Claims Act ("FTCA"), 28 U.S.C. §§ 2671 *et seq.* Such a claim is maintainable, however,

only after the plaintiff has exhausted administrative remedies by "first present[ing] the claim to

the appropriate Federal agency. . . ." 28 U.S.C. § 2675. This exhaustion requirement is

jurisdictional. *See GAF Corp. v. United States*, 818 F.2d 901, 917-20 (D.C. Cir. 1987); *Jackson

v. United States*, 730 F.2d 808, 809 (D.C. Cir. 1984); *Stokes v. U.S. Postal Service*, 937 F. Supp.

11, 14 (D.D.C. 1996). Plaintiff has not indicated that he exhausted his administrative remedies

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under the FTCA. Therefore, this action will be dismissed. *See Abdurrahman v. Engstrom*, 168

Fed.Appx. 445, 445 (D.C. Cir. 2005) (per curiam) ("[T]he district court properly dismissed case

[based on unexhausted FTCA claim] for lack of subject matter jurisdiction."). A separate Order

accompanies this Memorandum Opinion.

United States District Judge

Date: December __16__, 2011