

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JAN 20 2012

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

RADCLIFFE B. LEWIS,

Plaintiff,

v.

GOVERNMENT OF THE DISTRICT
OF COLUMBIA, *et al.*,

Defendants.

Civil Action No. **12 0088**

MEMORANDUM OPINION

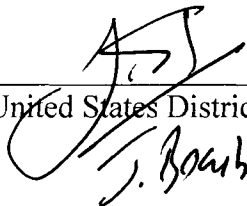
This matter is before the Court on consideration of plaintiff's application to proceed *in forma pauperis* and his *pro se* complaint. The application will be granted, and the complaint will be dismissed.

Plaintiff claims to have "won the December 11, 1999 Powerball game round," Compl. at 2, and his repeated efforts to claim the lottery proceeds have been unsuccessful, *see generally id.* at 4-7. He demands a declaratory judgment "affirming that [he] has standing to claim the December 11, 1999 Powerball ticket," *id.* at 9, and deeming him "the Winner of the December 11, 1999 Powerball Game Round," *id.* at 10, as well as monetary compensation of "US \$24,500,000.00 . . . in redemption . . . for the December 11, 1999 Powerball," *id.*, among other relief.

Notwithstanding plaintiff's characterization of this case, *see id.* at 4, either as a civil rights action against the defendants under 42 U.S.C. § 1983, or as claim over which this Court has diversity jurisdiction, *see* Compl. at 2, it actually is a tort claim for the recovery of lottery winnings to which the plaintiff claims an entitlement. Absent a clear showing of this Court's

subject matter jurisdiction, the complaint will be dismissed without prejudice. An Order accompanies this Memorandum Opinion.

DATE: Jan. 13, 2012


United States District Judge