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

Defendants.

“It is axiomatic that the United States may not be sued without its consent and that the existence of consent is a prerequisite for jurisdiction.” *United States v. Mitchell*, 463 U.S. 206, 212 (1983). “Absent a waiver, sovereign immunity shields the Federal Government and its

agencies from suit.” *Fed. Deposit Ins. Corp. v. Meyer*, 510 U.S. 471, 475 (1994); *see Dep’t of the Army v. Blue Fox, Inc.*, 525 U.S. 255, 260 (1999). The Federal Tort Claims Act (“FTCA”) is one example of an express waiver of sovereign immunity, allowing the United States to be held liable “in the same manner and to the same extent as a private individual under like circumstances,” 28 U.S.C. § 1346(b)(1), for certain, but not all, tort claims. *See, e.g., Richards v. United States*, 369 U.S. 1, 6 (1962). The Court lacks subject matter jurisdiction over plaintiff’s tort claim because “the United States simply has not rendered itself liable under [the FTCA] for constitutional tort claims.” *Meyer*, 510 U.S. at 478. Accordingly, the complaint will be dismissed. An Order accompanies this Memorandum Opinion.

DATE: April 30, 2012


United States District Judge