

FILED

OCT 11 2012

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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Warren H. Allen, Jr.,

Plaintiff,

v.

Secretary of Veterans Affairs

Eric Shinseki,

Defendant.

Civil Action No.

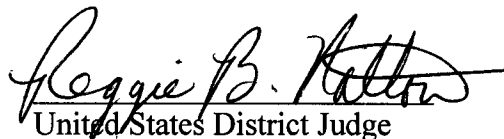
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MEMORANDUM OPINION

This matter is before the Court on the plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant the plaintiff's application and dismiss the complaint for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3) (requiring dismissal of a case when jurisdiction is found wanting).

The plaintiff sues the Secretary of Veterans Affairs to collect his "pension with . . . 13 years['] back pay." Complaint at 1. "The district courts shall not have jurisdiction under this section ["United States as defendant"] of any civil action or claim for a pension." 28 U.S.C. § 1346(d) (2011). Therefore, this action will be dismissed. A separate Order accompanies this Memorandum Opinion.

DATE: October 10th, 2012


United States District Judge