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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

GUSTAVO ANTONIO, Plaintiff, v. CHILEDUM AHAGHOTU, Defendant.	)	Civil Action No. 12 1724

MEMORANDUM OPINION

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

Plaintiff brings this medical malpractice action against the urologist who treated him at Howard University Hospital. 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). This negligence action presents no federal question, and because the parties are in the District of Columbia, plaintiff fails to establish diversity jurisdiction. Accordingly, the complaint will be dismissed for lack of subject matter jurisdiction.

An Order accompanies this Memorandum Opinion.

DATE: October 15, 2012

Reggie B. Walton
United States District Judge

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