

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED
SEP 26 2013
Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

Gary Hirsch,)
)
Plaintiff,)
)
v.)
)
United States Marshals Service,)
)
Defendant.)
_____)

Civil Action No. *13-1473*

MEMORANDUM OPINION

This matter is before the Court on plaintiff’s *pro se* “Complaint in Equity” and application to proceed *in forma pauperis*. The Court will grant plaintiff’s application and dismiss the complaint for lack of subject matter jurisdiction.

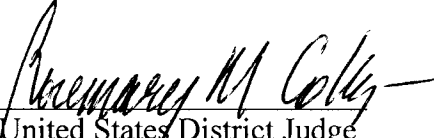
The subject matter jurisdiction of the federal district courts is limited and is set forth generally at 28 U.S.C. §§ 1331 and 1332. Under those statutes, federal jurisdiction is available only when a "federal question" is presented or the parties are of diverse citizenship and the amount in controversy exceeds \$75,000. A party seeking relief in the district court must at least plead facts that bring the suit within the court's jurisdiction. *See* Fed. R. Civ. P. 8(a). Failure to plead such facts warrants dismissal of the action. *See* Fed. R. Civ. P. 12(h)(3).

Plaintiff sues the United States Marshals Service to stop the execution of an order issued by the United States District Court for the District of Oregon to evict plaintiff from property located in Josephine County, Oregon. Plaintiff seeks an order from this Court to “declare the underlying judgment void for lack of jurisdiction,” Compl. at 3, but this Court lacks jurisdiction to review the orders of another district court. *See* 28 U.S.C. §§ 1331, 1332 (general

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jurisdictional provisions); *Fleming v. United States*, 847 F. Supp. 170, 172 (D.D.C. 1994), *cert. denied* 513 U.S. 1150 (1995) (citing *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 482 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415, 416 (1923)). Hence, this case will be dismissed. A separate Order accompanies this Memorandum Opinion.


United States District Judge

DATE: September 6, 2013