

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED
DEC - 2 2013
Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

Todd M. Jack,)
)
Plaintiff,)
)
v.)
)
Bridget Farrell,)
)
Defendant.)
_____)

Civil Action No. **13-1890**

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.

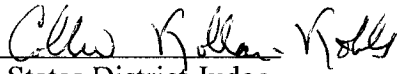
The subject matter jurisdiction of the federal district courts is limited and is set forth generally at 28 U.S.C. §§ 1331 and 1332. Under those statutes, federal jurisdiction is available only when a "federal question" is presented or the parties are of diverse citizenship and the amount in controversy 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 is a resident of Winchester, Virginia, suing an insurance company based in Cleveland, Ohio, for breach of contract. Plaintiff alleges that the breach occurred when defendant denied his application for a monthly disability payment that allegedly is a benefit attached as a rider to his life insurance policy. *See* Compl. at 1-2. Plaintiff seeks \$5,940 in compensatory damages, *id.* at 4, which is well below the statutory minimum for satisfying the

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diversity requirement. Since the complaint presents neither a federal question nor a basis for diversity jurisdiction, it will be dismissed without prejudice. A separate Order accompanies this Memorandum Opinion.


United States District Judge

DATE: November 26, 2013