

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 14 2014

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

Anthony T. Sanders,¹)
)
 Plaintiff,)
)
 v.)
)
 State of Maryland,)
)
 Defendant.)

Civil Action No. *14-1711 UNA*

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant plaintiff's application and dismiss the complaint for lack of subject matter jurisdiction. See Fed. R. Civ. P. 12(h)(3) (requiring the court to dismiss an action "at any time" it determines that subject matter jurisdiction is wanting).

Plaintiff is a resident of Hyattsville, Maryland, suing the State of Maryland. See Compl. Caption. The Eleventh Amendment to the U.S. Constitution immunizes a state from suit in federal court, unless immunity is waived.² It is established that this amendment applies equally

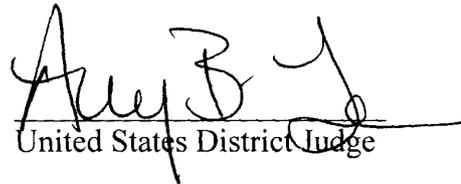
¹ Plaintiff lists the United States of America as a co-plaintiff. Since there is no indication that the United States has consented to be a party-plaintiff or to plaintiff's acting on its behalf, the Clerk is directed to open this case in Sanders' name only.

² The amendment provides in pertinent part: "[t]he judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State." U.S. Const. amend. XI.

N

(v)

to suits brought by citizens against their own states. See *Edelman v. Jordan*, 415 U.S. 651, 662-63 (1974); *Hans v. Louisiana*, 134 U.S. 1, 13-15 (1890). The Court discerns no such waiver in plaintiff's handwritten complaint, which is barely legible. Hence, this case will be dismissed. A separate Order accompanies this Memorandum Opinion.


United States District Judge

DATE: October 7^m, 2014