

FILED

APR - 6 2015

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

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

KERRY SHEA PRICE,

Plaintiff,

v.

MICHERIE L.L.C., *et al.*,

Defendants.

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Case: 1:15-cv-00486

Assigned To : Unassigned

Assign. Date : 4/6/2015

Description: Pro Se Gen. Civil (F Deck)

MEMORANDUM OPINION

This matter is before the Court on plaintiff's application to proceed *in forma pauperis* and his *pro se* civil complaint. The application will be granted, and the complaint will be dismissed without prejudice.

Plaintiff, a former employee of defendants, alleges that he has been physically assaulted, forced to work in unhealthy conditions, and subjected to harassment, retaliation and a hostile work environment, causing him to suffer mental and emotional distress.

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). Because plaintiff's complaint does not set forth a constitutional or statutory basis for his claims, it is not apparent that this action arises under the United States Constitution or federal law. Notwithstanding his demand for damages in excess of \$75,000, on the face of the complaint, plaintiff has not established complete diversity of citizenship. Accordingly, the complaint will be dismissed for lack of subject matter jurisdiction.

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An Order consistent with this Memorandum Opinion is issued separately.

DATE: *April 2, 2015*

Randy D. Moss

United States District Judge