

OCT - 7 2016

**Clerk, U.S. District and
Bankruptcy Courts**

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Robert G. Modrall,

Plaintiff,

V.

Coalition for the Homeless *et al.*,

Defendants.

Case: 1:16-cv-02012

Assigned To : Unassigned

Assign. Date : 10/7/2016

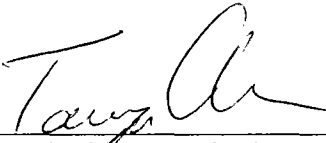
Description: Pro Se Gen. Civil (F Deck)

MEMORANDUM OPINION

This matter is before the Court on 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). In addition, a complaint may be so “patently insubstantial” as to deprive the Court of subject matter jurisdiction. *Tooley v. Napolitano*, 586 F.3d 1006, 1010 (D.C. Cir. 2009); *see Caldwell v. Kagan*, 777 F. Supp. 2d 177, 178 (D.D.C. 2011) (“A district court lacks subject matter jurisdiction when the complaint ‘is patently insubstantial, presenting no federal question suitable for decision.’”) (quoting *Tooley*, 586 F.3d at 1009)).

Plaintiff is a District of Columbia resident. In a one-paragraph Complaint, plaintiff accuses “these children [of] causing considerable harm intentionally after their superiors, superiors were clearly told.” Plaintiff seeks “an immediate injunction to prevent further harm while arrangements are finalized with the French & Russian Governments . . . for doctoral study.” The Court discerns no claim over which it can exercise subject matter jurisdiction. Hence, this case will be dismissed. A separate Order accompanies this Memorandum Opinion.


United States District Judge

DATE: October 6, 2016