

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

SEAN MATTHEW FINNEGAN,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 21-2411 (UNA)
)	
FARID SALIH, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM OPINION

This matter, filed on August 31, 2021, in the United States District Court for the Southern District of New York, was transferred to this district on September 14, 2021. The Court will grant plaintiff’s application to proceed *in forma pauperis* 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).

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 these statutes, federal jurisdiction is available when a “federal question” is presented or when the parties are of diverse citizenship and the amount in controversy exceeds \$75,000. “For jurisdiction to exist under 28 U.S.C. § 1332, there must be complete diversity between the parties, which is to say that the plaintiff may not be a citizen of the same state as any defendant.” *Bush v. Butler*, 521 F. Supp. 2d 63, 71 (D.D.C. 2007) (citing *Owen Equip. & Erection Co. v. Kroger*, 437 U.S. 365, 373–74 (1978)). 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).

Plaintiff purports to raise a federal claim under 15 U.S.C. § 1692d, which generally prohibits a debt collector from engaging in harassing or abusive behavior while collecting a debt. But the factual allegations of the complaint suggest a landlord-tenant matter arising from plaintiff's alleged wrongful eviction from his residence. This is not a federal question, and because all parties appear to reside in the District of Columbia, plaintiff fails to establish diversity jurisdiction.

An Order is issued separately.

DATE: June 6, 2022

/s/
DABNEY L. FRIEDRICH
United States District Judge