

[illegible]

This matter, brought *pro se*, is before the Court on review of Plaintiff’s application to proceed *in forma pauperis* (“IFP”) and “Complaint for a Criminal Case.” Plaintiff, a resident of Boston, Massachusetts, “moves for a criminal action,” Compl. ¶ 9, apparently against the Commonwealth of Massachusetts, a Massachusetts State Police Trooper, and at least one Superior Court Judge in Massachusetts. *See* Compl. Caption and Compl. ¶¶ 1, 6-8.

<sup>1</sup> 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. The amendment applies equally to suits brought by citizens against their own states. *Edelman v. Jordan*, 415 U.S. 651, 662-63 (1974); *Hans v. Louisiana*, 134 U.S. 1, 13-15 (1890).

(“[T]he party claiming subject matter jurisdiction . . . has the burden to demonstrate that it exists.”) (citation omitted)). Consequently, this case will be dismissed. *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 lacking). A separate Order accompanies this Memorandum Opinion.

Date: November 17, 2021

/s/  
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COLLEEN KOLLAR-KOTELLY  
United States District Judge