

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

VALERIE SHEPHERD,

Plaintiff,

v.

DEPARTMENT OF THE TREASURY,

Defendant.

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Civil Action No. 23-02188 (UNA)

MEMORANDUM OPINION


Plaintiff, appearing *pro se*, has filed a Complaint and an application to proceed *in forma pauperis*. The Court will grant the 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 lacking).

Plaintiff is a resident of Norwalk, Connecticut, who has sued the U.S. Treasury Department for \$10 million. In the cryptically worded complaint, Plaintiff alleges that since 2013 she has “been trying to get United States Treasury to investigate” her case “for Fraud and Corruption,” but she has “never received a response to [her] mail and online” submissions. Compl., ECF No. 1 at 2. Plaintiff also alleges that a “Treasury employee sent me payment information to received [sic] \$10,000,000 from the Treasury[.]” *Id.*

Jurisdiction over a claim against the federal government for an amount exceeding \$10,000 lies exclusively in the Court of Federal Claims. *Palacios v. Spencer*, 906 F.3d 124, 126–27 (D.C. Cir. 2018). The exception is a claim “sounding in tort,” 28 U.S.C. § 1491(a)(1), which is not applicable here. To the extent that Plaintiff seeks an investigation by Treasury, such decisions are “generally committed to an agency’s absolute discretion,” *Heckler v. Chaney*, 470 U.S. 821, 831

(1985), and “presumptively immune from judicial review,” *Shoshone–Bannock Tribes v. Reno*, 56 F.3d 1476, 1480 (D.C. Cir. 1995). Nothing alleged in the complaint supports deviating from the norm. Therefore, this case will be dismissed by separate order.

Date: August 30, 2023



CARL J. NICHOLS
United States District Judge