

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

JOI M. KELLY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 23-3940 (UNA)
	)	
C&F MORTGAGE CORPORATION, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION**

This matter is before the Court on plaintiff’s application to proceed *in forma pauperis* and her *pro se* complaint. The Court GRANTS the application and, for the reasons discussed below, DISMISSES the complaint without prejudice.

This civil action pertains to the disposition of assets which belonged to plaintiff’s grandparents, and among the assets was real property in King & Queen County, Virginia. There may remain a dispute among the heirs, and the Court presumes plaintiff demands a portion of her grandparents’ estate. Based on the court’s cursory review of the complaint’s hundreds of pages of attachments, plaintiff’s claims may have been litigated in the Virginia courts.

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).

This case does not present a federal question, and plaintiff fails to allege facts demonstrating complete diversity between the parties. The Court concludes that this federal district court lacks subject matter jurisdiction and, therefore, the complaint will be dismissed without prejudice. An Order is issued separately.

RANDOLPH D. MOSS  
United States District Judge

DATE: March 18, 2024