

DEC - 8 2009

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

Defendant.

[illegible]

Civil Action No.

**09 2323**

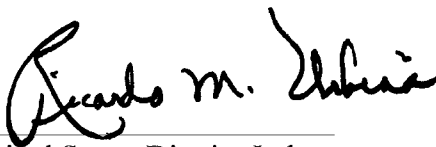
This matter is before the Court on plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant plaintiff's application and dismiss the complaint for lack of subject matter jurisdiction.

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).

Plaintiff, a resident of Georgetown, Maryland, sues a resident or individual doing business in Georgetown, Maryland, for fraud arising from the sale of land. He seeks \$60,000 in damages. The complaint neither presents a federal question nor provides a basis for diversity jurisdiction because the parties are not of diverse citizenship and the amount in controversy is

less than \$75,000. Accordingly, the complaint will be dismissed. A separate Order accompanies this Memorandum Opinion.

Date: November 28, 2009

  
United States District Judge