

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-7077**September Term, 2021****1:20-cv-03168-UNA****Filed On: October 5, 2021**

Jerry E. Robertson,

Appellant

v.

Jeff. Co. Atty's Office,

Appellee

BEFORE: Rogers and Millett, Circuit Judges, and Sentelle, Senior Circuit Judge

ORDER

Upon consideration of the court's order to show cause filed July 29, 2021, and the response and supplements thereto, it is

ORDERED that the order to show cause be discharged. It is

FURTHER ORDERED that the appeal be dismissed as untimely. Appellant's notice of appeal was filed beyond the 30-day period established in Federal Rule of Appellate Procedure 4(a)(1)(A), and the timely filing of a notice of appeal in a civil case is a jurisdictional requirement. See Bowles v. Russell, 551 U.S. 205, 209 (2007). Although appellant asserts that he never received a copy of one of the district court's orders, he has not shown that he meets the criteria for reopening the time to appeal under Federal Rule of Appellate Procedure 4(a)(6).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Manuel J. Castro
Deputy Clerk

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

FILED

NOV - 5 2020

Clerk, U.S. District & Bankruptcy
Court for the District of Columbia

JERRY E. ROBERTSON,

Plaintiff,

V.

JEFF. CO. ATTY'S OFFICE,

Defendant.

Civil Action No. 20-3168 (UNA)

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that the plaintiff's application to proceed *in forma pauperis* [2] is

GRANTED; and it is

FURTHER ORDERED that the complaint and this civil action are DISMISSED WITHOUT PREJUDICE.

This is a final appealable Order. *See* Fed. R. App. P. 4(a).

SO ORDERED.

DATE: November 4, 2020

/s/

KETANJI BROWN JACKSON
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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Clerk, U.S. District & Bankruptcy
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JERRY E. ROBERTSON,

Plaintiff,

v.

JEFF. CO. ATTY'S OFFICE,

Defendant.

Civil Action No. 20-3168 (UNA)

MEMORANDUM OPINION

This matter is before the Court on consideration of plaintiff's application to proceed *in forma pauperis* and his *pro se* complaint. The plaintiff's claims pertain to defendant's efforts to collect unpaid child support.

Federal district courts have jurisdiction in civil actions arising under the Constitution, laws or treaties of the United States. *See* 28 U.S.C. § 1331. In addition, federal district courts have jurisdiction over civil actions where the matter in controversy exceeds \$75,000, and the suit is between citizens of different states. *See* 28 U.S.C. § 1332(a). The complaint does not articulate a claim arising under the United States Constitution or federal law; therefore, the plaintiff does not demonstrate federal question jurisdiction. While amount in controversy allegedly exceeds \$75,000, because the parties are citizens of Kentucky, the plaintiff fails to establish diversity jurisdiction. Furthermore, because none of the parties appear to reside in the District of Columbia, and because none of the events giving rise to the plaintiff's claims occurred here, it is doubtful that this district is the proper venue for resolution of the plaintiff's claims.

The Court will grant the plaintiff's application to proceed *in forma pauperis* and dismiss the complaint without prejudice for lack of subject matter jurisdiction. An Order is issued separately.

DATE: November 4, 2020

/s/
KETANJI BROWN JACKSON
United States District Judge