In the United States Court of Federal Claims

No. 05-1056 C

(Filed: October 28, 2005)

ROBERT EARL WASHINGTON,	)
	)
Plaintiff,	)
v.	)
	)
THE UNITED STATES,	)
	)
Defendant.	)

ORDER

The court has before it the complaint of Robert Earl Washington, pro se. Plaintiff alleges that the police in San Antonio, Texas, have permitted the operation of a sex-for-money scheme as a means of financing church construction and repair. Plaintiff contends that despite the assistance of the military and local residents in identifying individuals implicated in the scheme, San Antonio police continue to allow the alleged sexual activities as a means of raising funds for area churches.

Through the Tucker Act, 28 U.S.C. § 1491, Congress authorized the United States Court of Federal Claims to "render judgment upon any claim against the United States founded either upon the Constitution, or any Act of Congress or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort." 28 U.S.C. § 1491(a)(1) (2000). See United States v. Testan, 424 U.S. 392, 398 (1976). To establish jurisdiction, the plaintiff must ground its claim for relief in a constitutional provision, statute, federal agency regulation, or contract provision that "can fairly be interpreted as mandating compensation by the Federal Government for the damage sustained." Eastport S.S. Corp. v. United States, 372 F.2d 1002, 1009 (Ct. Cl. 1967).

Because the allegations of the complaint state a claim, if any, against the City of San Antonio and the State of Texas, and not against the United States, the court lacks jurisdiction over plaintiff's complaint. See 28 U.S.C. § 1491; Testan, 424 U.S. at 397-98 (1976).[1]

The Clerk of the Court is directed to DISMISS the complaint for lack of jurisdiction.

IT IS SO ORDERED.

_____
EMILY C. HEWITT
Judge

[1]The court recognizes that a pro se plaintiff is entitled to liberal construction of his pleadings. See Haines v. Kerner, 404 U.S. 519, 520 (1972) ("[A]llegations of the pro se complaint . . . [are held] to less stringent standards than formal pleadings drafted by lawyers."); Vaizburd v. United States, 384 F.3d 1278, 1285 n.8 (Fed. Cir. 2004) (noting that pleadings drafted by pro se parties "should . . . not be held to the same standard as [pleadings drafted by] parties represented by counsel") (citation omitted). However, "[t]his latitude . . . does not relieve a pro se plaintiff from meeting [the] jurisdictional requirements" for proceeding in this court. Bernard v. United States, 59 Fed. Cl. 497, 499 (2004), aff'd 98 Fed. Appx. 860, 2004 WL 842679 (Fed. Cir. Apr. 9, 2004); see also Kelley v. Dep't of Labor, 812 F.2d 1378, 1380 (Fed. Cir. 1987) ("[A] court may not similarly take a liberal view of [a] jurisdictional requirement and set a different rule for pro se litigants only."). After careful examination of the complaint, and drawing all reasonable inferences in plaintiffs' favor, none of the allegations made by plaintiff can be fairly read to state a claim within this court's jurisdiction.