

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL HUSTON,

Plaintiff,

v.

DENNIS NELSON, MICHAEL NELSON
and WISCONSIN UNEMPLOYMENT AGENCY,

Defendants.

ORDER

13-cv-147-bbc

Pro se plaintiff Michael Huston has filed a proposed complaint in which he alleges that he was denied unemployment compensation because his former employer provided false information to the state agency deciding the claim. Because plaintiff is proceeding under 28 U.S.C. § 1915 without prepayment of the filing fee, I must screen his complaint to determine whether he may proceed in this court.

In this case, that screening can be done quickly. The unfortunate fact for plaintiff is that this court cannot provide him any relief. A federal court is limited to hearing certain types of disputes, including actions that arise under federal law and actions in which the plaintiff and defendants are citizens of different states. 28 U.S.C. §§ 1331 and 1332. Because neither situation is present in this case, I must dismiss plaintiff's claims.

Wisconsin law establishes an administrative review process that a claimant may follow if he believes that his claim for unemployment compensation has been denied

wrongfully. Wis. Stat. § 108.09(6). If that appeal is unsuccessful, he may seek judicial review in *state* court. Wis. Stat. § 108.09(7). However, this court has no authority in a case like this one to review a determination that a claimant is not entitled to unemployment benefits.

ORDER

IT IS ORDERED that this case is DISMISSED for lack of subject matter jurisdiction.

Entered this 25th day of March, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge