

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

MILES M. VOSS,

Plaintiff,

v.

DISTRICT JUDGE JOHN C. SHABAZ,
JOSEPH SKUPNIEWITZ and
STEVEN PRAY O'CONNOR,

Defendants.

ORDER

00-C-432-C

Plaintiff filed this lawsuit on June 28, 2000. He asserts that he paid the \$150 filing fee, but the court's records do not reflect such a payment has been made. Indeed, plaintiff's proof of payment, a canceled check made out to the Clerk of Court in the amount of \$150 dated March 31, 2000, is the filing fee plaintiff paid when he filed another lawsuit in this court, Voss v. Columbia County Sheriff Dept., 00-C-182-S. In any event, from the financial affidavit plaintiff has submitted, I conclude that he meets the indigency standard of this court. Whether plaintiff is proceeding as a paid litigant or as a pauper, however, this case must be dismissed for lack of subject matter jurisdiction.

A district court may dismiss a complaint for lack of subject matter jurisdiction on its own motion where the claims are “so insubstantial, implausible, foreclosed by prior decisions of [the United States Supreme Court], or otherwise completely devoid of merit as not to involve a federal controversy.” Steel Company v. Citizens for a Better Environment, 118 S. Ct. 1003, 1010 (1998)(citing Oneida Indian Nation of N.Y. v. County of Oneida, 414 U.S. 661, 666 (1974)).

A threshold question in every federal case is whether the plaintiff has made out a “case or controversy” between himself and the defendants within the meaning of Article III. See Warth v. Seldin, 422 U.S. 490, 498 (1975). The matter generally must be one alleging a violation of plaintiff's rights under the United States Constitution or some other federal law, or alleging a violation of state law if the plaintiff and all of the defendants are citizens of different states.

There are no allegations of fact in plaintiff's complaint describing why he thinks his rights under any federal or state law have been violated by any of the defendants. The full text of his “cause of action” is as follows:

Attention! Look out! Our 1974 + 75 records books. The 1974 records showed that the payments made showed \$1,200. + \$8527.03 + \$25.65 and the 1975 records showed that Payments made showed \$8400. + 4500 + 1,718.00 + 266.00 totaled \$2,4,861.68 on 74 + 75 Penalty on 24,861.68 for 74 + 75 that fined 1,000,000% because no explanations or obligs + trend to 95-6.7-8 since 1974 to 1995. so I must put 1000,000% fine on x 24,861.68 for 74 + 75.

$24.861.68 \times 1000,000\% = 248,641,661.68 =$
 $248.641,661.68 + \% \times 26 \text{ years} = \$6,216,041,542,00$ - that lots of millions + plus more records would be counted

you let the fraud lawyers damaged my investments + investigation + my healthy + etc + dark days!!!

My register deeds of 200 acres, demanded to give back in 30 days - if not, will do more trouble - ahead -

all the lawyers looked for trouble because they did not notice all the matters at FMHA. Black birds told me about.

Our buildings + houses are terrible wear out + the windy damaged 3 buildings + roofs. We can't improve all the needys - the taxes still go up all the times! No works for my young life

I can't sleep very good after the Bankrutcy files.

I noted the property taxes were delinquent since 1978 to 98. Caused all problems

I can do that your jury can't dismissed on many complaints.

Because no proofs showed on 1974 + 75, and also \$25.400 were very late to finased It was damaged from June 12 1975.

\$25,400 did not showed clearly! The replaced buildings done by Feb 28, 1975 why did \$25,400 paid advanced before done. discrimnaged acts.

25,400 would be penalty to \$1000,000 for 25 yrs. \$132,130,800.00

Although the complaint is accompanied by a thick packet of papers, presumably exhibits of one kind or another, neither those papers nor plaintiff's request for relief provides greater insight into the factual basis for the complaint. Plaintiff's request for relief reads:

I paid \$150.00 to court file before I got the complaintant papers.

I traveled lots with terrible gas and worked all days + nights since Bankrutcy files.

I did not understand at the hearing court no interpreters at your court, discrimnaged acts.

Because plaintiff's complaint is devoid of the most basic components of a federal lawsuit, the case will be dismissed on the court's own motion for lack of jurisdiction.

ORDER

IT IS ORDERED that this case is DISMISSED on the court's own motion for lack of subject matter jurisdiction.

Entered this 31st day of August, 2000.

BY THE COURT:

BARBARA B. CRABB
District Judge