

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

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JULIE CHARLES,

Petitioner,

v.

BROWN COUNTY HUMAN SERVICES,

Respondent.  
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ORDER

05-C-331-C

Petitioner Julie Charles has filed a civil action and requests leave to proceed in forma pauperis. Her pleading is accompanied by an affidavit that shows she is indigent. However, in her complaint, petitioner is challenging the decision of the Circuit Court for Brown County to award custody of her children to her husband.

As I told petitioner in March of this year when she filed a similar action, federal courts do not have the power to hear cases involving child custody disputes. If petitioner has now appealed the child custody ruling of the Brown County court to the Wisconsin Court of Appeals and the Wisconsin Supreme Court, her avenues for relief have been exhausted and the matter ended. She cannot continue her fight in federal court. Because plaintiff's complaint in this court is improper, it must be dismissed pursuant to Fed. R. Civ. P. 12(h)(3) on the court's own motion for lack of jurisdiction.

ORDER

IT IS ORDERED that petitioner's request for leave to proceed in forma pauperis is DENIED and this case is DISMISSED on the court's own motion for lack of subject matter jurisdiction.

Entered this 8th day of June, 2005.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge