



Divorce” with the Russian Embassy in the summer of 1993. At that time, Semendiai and her son became citizens of the United States of America. Finally, “MONDO - . . . USA, CO., INC <sup>TM</sup>” (“MONDO”), which Semendiai founded in the former Leningrad, U.S.S.R. in 1972, became the property of the United States of America. For the purposes of the pending motion, the Court will assume that all allegations contained in plaintiff’s complaint are true.

### DISCUSSION

The sole issue before the Court is whether the Court has subject-matter jurisdiction over plaintiff’s claims. Plaintiff bears the burden of establishing that this Court may properly adjudicate the case. *Domagala v. United States*, 30 Fed. Cl. 149, 151 (1993), *aff’d*, 39 F.3d 1196 (Fed. Cir. 1994). In considering defendant’s motion, the Court will review the facts in the light most favorable to plaintiff. *Id.* Pleadings by a *pro se* plaintiff are held to a less stringent standard than those of formal pleadings drafted by lawyers. *Haines v. Kerner*, 404 U.S. 519, 520 (1972).

The Court lacks jurisdiction to adjudicate plaintiff’s claims. The United States Court of Federal Claims is a court of special jurisdiction. Under the Tucker Act, 28 U.S.C. § 1491, this Court has jurisdiction to adjudicate claims 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) (2006). The Court does not have jurisdiction to entertain claims alleging tortious or criminal conduct. Plaintiff characterizes her complaint as a criminal complaint; to the extent plaintiff alleges actions by the United States that are criminal in nature, this Court does not have jurisdiction over those claims. Moreover, to the extent plaintiff’s complaint asserts that the alleged theft of her property constitutes a tort, the United States Court of Federal Claims also does not have jurisdiction over that claim. *See* 28 U.S.C. § 1491(a)(1).

Finally, to the extent that Semendiai alleges a Fifth Amendment taking of her interests in MONDO by the United States, the statute of limitations bars such an action by plaintiff. The statute of limitations applicable to complaints filed in the United States Court of Federal Claims is six years from the time a claim first accrues. 28 U.S.C. § 2501. Based on the facts alleged in plaintiff’s complaint, it appears that plaintiff’s claim accrued in, or prior to, 1993. Plaintiff alleges that she applied for a “Judgment of Absolute Divorce” and became a citizen of the United States in 1993. Plaintiff’s opposition<sup>2</sup> includes an exhibit entitled “Certificate of Accuracy,” which was purportedly signed by Congresswoman Eleanor Holmes Norton on January 16, 2001, stating that \$12 trillion of MONDO’s assets were transferred by Semendiai to the White House in

---

<sup>2</sup>Plaintiff filed a “Notice-Response” on February 12, 2009. The Court considers that document to be the opposition to defendant’s motion to dismiss, filed on November 5, 2008.

1993. Pl.'s Opp. 14.<sup>3</sup> That document also states that "Hillary Clinton [] played the decisive role in conduct of [MONDO's] assets . . . ." *Id.* Therefore, assuming the truth of plaintiff's allegations and supporting exhibits, it appears that plaintiff's alleged claim of a Fifth Amendment taking of Semendiai's interests in MONDO accrued in 1993. Plaintiff's complaint was filed on September 11, 2008, approximately 15 years later. Thus, this Court's six-year statute of limitations bars jurisdiction over plaintiff's claims.

### CONCLUSION

For the reasons set forth above, the Court hereby DISMISSES this case for lack of jurisdiction. The Court grants defendant's motion to dismiss and directs the clerk to dismiss plaintiff's complaint and enter judgment for defendant. Each party shall bear its own costs.

---

LAWRENCE S. MARGOLIS  
Senior Judge, U.S. Court of Federal Claims

---

<sup>3</sup>Plaintiff's opposition does not contain page numbers. The Court sequentially numbered the pages of the opposition and attached exhibits.