

NOTE: Pursuant to Fed. Cir. R. 47.6, this disposition is not citable as precedent. It is a public record.

United States Court of Appeals for the Federal Circuit

06-5080

DEBORAH BLANCHARD ODUWA,

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

DECIDED: November 7, 2006

Before MICHEL, Chief Judge, MAYER and LINN, Circuit Judges.

PER CURIAM.

Deborah Blanchard Oduwa seeks review of an order of the United States Court of Federal Claims dismissing her complaint for lack of subject matter jurisdiction. Oduwa v. United States, No. 06-CV-88 (Fed. Cl. Feb. 23, 2006). We affirm.

Whether the Court of Federal Claims properly dismissed Oduwa's complaint for lack of jurisdiction is a question of law that we review de novo. Wilson v. United States,

405 F.3d 1002, 1008 (Fed. Cir. 2005). The Court of Federal Claims has authority to issue judgments against the United States only where the claims are grounded in a contract with the United States or arise under a money-mandating statute, regulation, or provision of the Constitution. 28 U.S.C. § 1491; United States v. Testan, 424 U.S. 392, 397 (1976). It does not have jurisdiction over claims sounding in tort. 28 U.S.C. § 1491(a)(1); Brown v. United States, 105 F.3d 621, 623 (Fed. Cir. 1997). None of Oduwa's claims flow from a contract or arise under a money-mandating statute, regulation, or provision of the Constitution, and all of her claims are based upon alleged negligent or intentional wrong-doing by the government. They sound in tort, and the trial court properly dismissed her complaint for lack of subject matter jurisdiction.