

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

ANNIE E. MASIMO,	)	CASE NO. 1:17 CV 627
	)	
Plaintiff,	)	JUDGE JAMES S. GWIN
	)	
v.	)	
	)	OPINION & ORDER
DAIRYLAND INSURANCE COMPANY, et al.,	)	
	)	
Defendants.	)	

Before the Court is Plaintiff *pro se* Annie E. Masimo's Amended Complaint against Defendants Dairyland Insurance Company, Alan Owen, Jeanine Kairanga, Donald Martens & Sons, Stratford Insurance Company, and Edwin M. Torres. Plaintiff seeks to assert a claim based on an automobile accident in which she and her children were passengers in a vehicle driven by Kairanga. She asks for damages resulting from the accident, including for medical expenses and lost wages.

Although *pro se* pleadings are liberally construed, *Boag v. MacDougall*, 454 U.S. 364, 365, (1982) (per curiam); *Haines v. Kerner*, 404 U.S. 519, 520 (1972), a "district court may, at any time, *sua sponte* dismiss a complaint for lack of subject matter jurisdiction . . ." *Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir.1999). Even construing the Amended Complaint liberally, there is no suggestion of any possible basis for this Court's jurisdiction. Plaintiff does not invoke a federal statute in support of her claim, and complete diversity of citizenship between plaintiff and defendants does not exist. This action is therefore subject to summary dismissal.

*Lowe v. Huffstutler*, No. 89-5996, 1990 WL 66822 (6th Cir. May 21, 1990).

Accordingly, this action is dismissed. The dismissal is without prejudice to any valid state law claim Plaintiff may have based on the facts alleged. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

Dated: April 14, 2017

*s/ James S. Gwin*  
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JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE