

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

TERRY L. SOLES,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	1:14cv1041-MHT
	)	(WO)
MR. KINGSLEY, et al.,	)	
	)	
Defendants.	)	

OPINION

Plaintiff filed this lawsuit asserting that his insurance company exercised bad faith and his attorney committed malpractice in settling a claim stemming from a car accident in which plaintiff suffered a serious injury. The current lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's case be dismissed for lack of subject-matter jurisdiction. Also before the court are plaintiff's objections to the recommendation. After an independent and de novo review of the record, the court concludes that plaintiff's objections should be

overruled and the magistrate judge's recommendation adopted. The court cannot exercise diversity jurisdiction unless the plaintiff is a citizen of a State different from that of each and every defendant. Here the plaintiff and two defendants are citizens of the same State, Alabama. Accordingly, plaintiff must file his lawsuit in state court.

An appropriate judgment will be entered.

DONE, this the 13th day of January, 2015.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE