

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

CONECUH RIVER TIMBER CO., )  
LLC, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
BAR FOREST PRODUCTS, LLC; )  
et al., )  
 )  
Defendants. )

CIVIL ACTION NO.  
2:11cv913-MHT  
(WO)

ORDER

The allegations of the plaintiff's complaint are insufficient to invoke this court's diversity-of-citizenship jurisdiction. The allegations must show that the citizenship of each plaintiff is different from that of each defendant. 28 U.S.C. § 1332.

The plaintiff's complaint fails to meet this standard. The complaint gives the "residence" rather than the "citizenship" of defendants Tracy Baggett and Jeremy McClain. An allegation that a party is a "resident" of a State is not sufficient to establish that a party is a

"citizen" of that State. Delome v. Union Barge Line Co.,  
444 F.2d 225, 233 (5th Cir.), cert. denied, 404 U.S. 995  
(1971).

It is therefore the ORDER, JUDGMENT, and DECREE of the  
court that the plaintiff has until November 4, 2011, to  
amend the complaint to allege jurisdiction sufficiently;  
otherwise this lawsuit shall be dismissed without  
prejudice.

DONE, this the 27th day of October, 2011.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE