

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

SOUTHERN PIONEER PROPERTY)
& CASUALTY INSURANCE)
COMPANY,)
)
Plaintiff,)
)
v.)
)
CHIQUITA VINSON, as)
Administrator of the)
Estate of Tocarious)
Johnson; and AUTO FUNDING)
GROUP, LLC d/b/a 2nd)
Chance Auto Sales,)
)
Defendants.)

CIVIL ACTION NO.
2:23cv36-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 plaintiff has sued defendant Chiquita

Vinson in her capacity as administrator of the estate of decedent Tocarious Johnson. "[T]he legal representative of the estate of a decedent shall be deemed to be a citizen only of the same State as the decedent" 28 U.S.C. § 1332(c)(2). Because the complaint does not adequately set forth the citizenship of the decedent--for whom the complaint alleges only residence, not citizenship--the complaint does not adequately establish the ground for this court to assume jurisdiction of this matter.

It is therefore the ORDER, JUDGMENT, and DECREE of the court that the plaintiff has until January 31, 2023, to amend the complaint to allege jurisdiction sufficiently; otherwise this lawsuit shall be dismissed without prejudice.

DONE, this the 17th day of January, 2023.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE