

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

WALTON C. MURPHREE, SR.,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 4:13-MC-1746-VEH
)	
VETERAN'S ADMINISTRATION)	
OF THE UNITED STATES, et al,)	
)	
Defendants.)	

Memorandum Opinion

On October 7, 2013, the court ordered the plaintiff to “**SHOW CAUSE** no later than October 20, 2013, why this matter should not be dismissed, without prejudice” for the failure to demonstrate, among other things, that this court has subject matter jurisdiction. (Doc. 2). To date, no response to the order has been filed.

“The party invoking the court’s jurisdiction bears the burden of proving, by a preponderance of the evidence, facts supporting the existence of federal jurisdiction.” *McCormick v. Aderholt*, 293 F.3d 1254, 1257 (11th Cir. 2002). Since the plaintiff has not carried this burden, this action will be **DISMISSED without prejudice**.

DONE and **ORDERED** this 23rd day of October, 2013.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins", written in a cursive style.

VIRGINIA EMERSON HOPKINS

United States District Judge