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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

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9 Carlos Moreno,

No. CV 09-1041-PHX-JAT

10 Plaintiff,

ORDER

11 vs.

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13 Yamaha Motor Corporation; U.S.A.;
14 Yamaha Motor Manufacturing
15 Corporation of America; Yamaha Motor
16 Co., Ltd.,

15 Defendants.

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18 “Inquiring whether the court has jurisdiction is a federal judge’s first duty in every
19 case.” *Belleville Catering Co. v. Champaign Market Place, L.L.C.*, 350 F.3d 691, 693 (7th
20 Cir. 2003). In this case, Plaintiff makes no jurisdictional allegation regarding federal subject
21 matter jurisdiction in the complaint.

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Because federal courts are courts of limited jurisdiction, the party asserting
jurisdiction must plead sufficient facts for this Court to assess its jurisdiction. *Kokkonen v.*
Guardian Life Ins. Co. of Am., 511 U.S. 375, 377 (1994); *Valdez v. Allstate*, 372 F.3d 1115,
1116-17 (9th Cir. 2004).

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Therefore,

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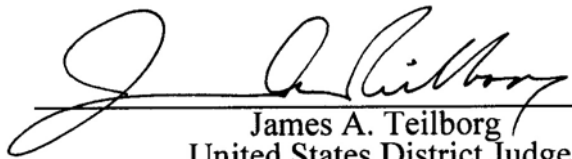
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IT IS ORDERED that by July 2, 2009, Plaintiff shall file an amended complaint properly alleging federal subject matter jurisdiction, or this case will be dismissed without prejudice for lack of federal subject matter jurisdiction.

DATED this 12th day of June, 2009.



James A. Teilborg
United States District Judge