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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Kenneth Lavenue,

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No. CV 10-1496-PHX-FJM

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Plaintiff,

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ORDER

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vs.

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Ken Lewis et al,

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Defendant.

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The court has been presented with an “Application for Temporary Restraining Order and Application for Temporary Injunction” (doc. 4). However, a review of the “Complaint and an Action to Quiet Title” (doc.1) indicates that this court is without subject matter jurisdiction. Although plaintiff alleges diversity jurisdiction, he also alleges that citizens of Arizona are on both sides of the case. And although plaintiff alleges federal question jurisdiction, no federal claim is presented. Plaintiff’s complaint appears to arise under Arizona law, in which case, jurisdiction would exist in the superior court of Arizona.

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Accordingly, it is ORDERED DENYING plaintiff’s Application for Temporary Restraining Order and Application for Temporary Injunction (doc. 4). It is further ORDERED DISMISSING the complaint for lack of subject matter jurisdiction.

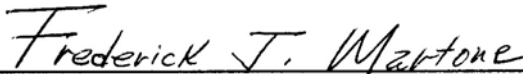
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We encourage plaintiff to seek the advice of a lawyer. If he does not have one, he may wish to contact the Lawyer Referral Service of the Maricopa County Bar Association

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1 at (602) 257-4434. We urge him to contact a lawyer before he files his complaint in the
2 superior court.

3 DATED this 20th day of July, 2010.

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7 Frederick J. Martone
8 United States District Judge
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