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

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9 Lisa Jensen, et al.,

No. CV 11-8165-PCT-JAT

10 Plaintiff,

ORDER

11 vs.

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13 EMC Mortgage Corporation, Quality Loan
Service Corporation,

14 Defendants.

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16 “Inquiring whether the court has jurisdiction is a federal judge’s first duty in every
17 case.” *Belleville Catering Co. v. Champaign Market Place, L.L.C.*, 350 F.3d 691, 693 (7th
18 Cir. 2003). In this case, the Complaint pleads jurisdiction based on 28 U.S.C. § 1332, which
19 is diversity. However, the Complaint fails to adequately allege the citizenship of the parties
20 such that this Court can independently assess its jurisdiction.

21 Specifically, both Defendants (one is now dismissed) are corporations; thus they are
22 citizens of their states of incorporation and its principal places of business. *Hertz Corp. v.*
23 *Friend*, 130 S. Ct. 1181, 1192; - - - U.S. - - - (2010). While Plaintiff pleaded a principal
24 place of business for each Defendant, it failed to plead a state of incorporation. Because
25 Plaintiff failed to plead either state of incorporation, Plaintiff failed to allege diversity
26 jurisdiction. Therefore,

27 **IT IS ORDERED** that by December 19, 2011, Plaintiff shall file an amended
28 complaint properly alleging federal subject matter jurisdiction or this case will be dismissed,

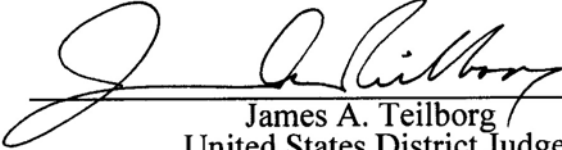
1 without prejudice.

2 DATED this 23rd day of November, 2011.

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James A. Teilborg
United States District Judge

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