

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

RONNIE RAY LONG, JR.

PLAINTIFF

v.

No. 4:11CV00076 JLH

WILSON & ASSOCIATES, P.L.L.C.;
and WELLS FARGO HOME MORTGAGE

DEFENDANTS

ORDER

On February 2, 2011, Ronnie Ray Long, Jr., filed a complaint seeking to enjoin Wilson & Associates, P.L.L.C., and Wells Fargo Home Mortgage from consummating a trustee's sale of real property located in North Little Rock, Arkansas. On that same day, the Court entered an Order dismissing the case without prejudice for lack of subject matter jurisdiction on the ground that Long appeared to be a citizen of the State of Arkansas and Wilson & Associates, P.L.L.C., is an Arkansas law firm the members of which are citizens of the State of Arkansas. The Court noted in that Order that:

Jurisdiction under 28 U.S.C. § 1332(a) requires "complete diversity of citizenship among the litigants." *One Point Solutions, LLC v. Borchert*, 487 F.3d 342, 346 (8th Cir. 2007). "Complete diversity of citizenship exists where no defendant holds citizenship in the same state where any plaintiff holds citizenship." *Id.* The citizenship of a limited liability company, for purposes of diversity jurisdiction, is the citizenship of each of its members. *Id.*

The Court then said because it appeared that Long and members of Wilson & Associates were citizens of the State of Arkansas, complete diversity of citizenship was lacking, so the Court did not have subject matter jurisdiction. The Court added in a footnote that if Long were actually a citizen of a state other than Arkansas, he would be permitted to file a motion for reconsideration and explain his citizenship.

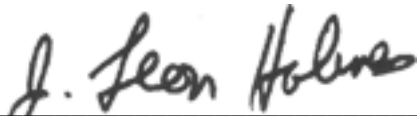
Long has now filed a document styled "Jurisdictional Statement / Memorandum of Law" in which he says:

This court has Jurisdiction over this case; Diversity Exist the Defendant Wells Fargo Bank is not incorporated in the state of Arkansas and is a company set up to operate as incorporate from another state and it has citizen of Los Angles California Arkansas and I am a Citizen of Arkansas. The value of the case argument is a home in North Little Rock, Arkansas in which is valued at \$80,000, or more. It appears the right to private mortgage of the decease prevents me from knowing exact amount in this argument.

Notwithstanding Long's assertion that this Court has jurisdiction because Wells Fargo is incorporated in a state other than Arkansas, the law is clear that the Court does not have jurisdiction because one of the defendants, Wilson & Associates, P.L.L.C., and the plaintiff, are citizens of the same state. Long now has made clear that he is a citizen of the State of Arkansas, as the Court had gathered from his initial complaint. The Court, again, takes judicial notice of the fact that Wilson & Associates, P.L.L.C., is an Arkansas law firm, and some of its members are citizens of the State of Arkansas. Therefore, complete diversity of citizenship is lacking.

The Court will construe Long's most recent filing as a motion for reconsideration of the Order of Dismissal. The motion for reconsideration is DENIED.

IT IS SO ORDERED this 7th day of February, 2011.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE