

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

WILLIAM ROSARIO

PLAINTIFF

v.

No. 4:13-cv-517-DPM

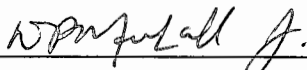
MANUAL ANTHONIO VELEZ
d/b/a MAV Enterprises LLC

DEFENDANT

ORDER

Rosario says Velez tricked him into investing his 401k money with Velez, who then ran off with the funds. *No* 3. The case was filed in Texas, but transferred here because venue there was bad. *No* 6. Rosario and Velez both live in Arkansas, and everything Rosario alleges happened took place in Arkansas too. The transfer cured the venue problem, but it didn't fix the jurisdictional one: there's no diversity, and no federal law is implicated. 28 U.S.C. §§ 1331 & 1332. Rosario's complaint is therefore dismissed without prejudice for lack of subject matter jurisdiction. He must proceed in an Arkansas court. The IFP motion, *No* 5, is denied as moot.

So Ordered.



D.P. Marshall Jr.
United States District Judge

19 September 2013