

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

DOUGLAS FERGUSON

PLAINTIFF

v.

No. 5:21-CV-05134

THE CREEKS GOLF COURSE, LLC

DEFENDANT

OPINION AND ORDER

On July 26, 2021, the Court entered an order directing Plaintiff to file an amended complaint with allegations adequately demonstrating diversity of citizenship by July 30, 2021. As the party seeking the Court's jurisdiction, Plaintiff bears the burden of demonstrating complete diversity of citizenship. Plaintiff's amended complaint fails to adequately allege facts demonstrating the citizenship of Defendant The Creeks Golf Course, LLC. As the Court noted in its July 26, 2021 Order, where a limited liability company "does business" is immaterial to its citizenship. The LLC's state of organization is also immaterial, as is the location of the registered agent. The citizenship of an LLC is the state or states of citizenship of each of its members, and that citizenship must be traced down the organizational chart. *OnePoint Sols., LLC v. Borchert*, 486 F.3d 342, 346 (8th Cir. 2007). Plaintiff has not met his burden of demonstrating complete diversity of citizenship exists between the parties, and the case will be dismissed for lack of subject matter jurisdiction.

IT IS THEREFORE ORDERED that this case is DISMISSED WITHOUT PREJUDICE. Judgment will be entered separately.

IT IS SO ORDERED this 30th day of July, 2021.

P. K. Holmes, III

P.K. HOLMES, III
U.S. DISTRICT JUDGE