

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

<b>Case No.</b>	2:08-cv-07503-FMC-FFMx	<b>Date</b>	November 21, 2008
<b>Title</b>	D'Andrea Bryant et al v. Saxon Mortgage et al		

<b>Present: The Honorable</b>	FLORENCE-MARIE COOPER
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Alicia Mamer Deputy Clerk	Not Reported Court Reporter / Recorder	N/A Tape No.
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Attorneys Present for Plaintiffs: Not present	Attorneys Present for Defendants: Not present
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**Proceedings:** ORDER TO SHOW CAUSE (In Chambers)

On November 13, 2008, Pro se Plaintiffs D'Andrea Bryant and Monica Suanders filed a Complaint, asserting claims for wrongful trustee sale, negligent and intentional misrepresentation, intentional infliction of emotional distress, fraud, breach of contract, quiet title, abuse of process, and civil conspiracy.<sup>11</sup> Pro se simply means that a party is representing himself, rather than being represented by a lawyer. The Court has reviewed Plaintiff's Complaint and is not satisfied that Plaintiff has stated one or more claims over which this Court has jurisdiction.

This Court is a court of limited jurisdiction. The Court may only hear cases arising under federal law ("federal question jurisdiction") or cases between citizens of different states ("diversity jurisdiction"). See 15 Moore's Federal Practice §100.20 (Matthew Bender 3d ed. 2004). Additionally, Federal Rule of Civil Procedure 8(a) requires that a complaint include "a short and plain statement of the grounds upon which the court's jurisdiction depends."<sup>22</sup> The Federal Rules of Civil Procedure are the "rules of the road" for federal civil lawsuits, like this one. All litigants must read and follow these rules. In addition to being available at law libraries, the Rules may be found online at <http://www.law.cornell.edu/rules/frcp/>. Each allegation in a pleading "must be simple, concise, and direct." Fed. R. Civ. P. 8(d)(2).

Plaintiffs' Complaint does not include any indication that federal question jurisdiction is implicated here. Although it appears that Plaintiffs may believe that diversity jurisdiction exists, such jurisdiction is not clear from the allegations in their Complaint.<sup>33</sup> In addition to being available at law libraries, the text of federal law can be found (and searched) online at <http://www.gpoaccess.gov/uscode/index.html>. Another useful online resource for searching federal law may be found at <http://www.law.cornell.edu/uscode/>. If this Court does not have subject matter jurisdiction, the case cannot proceed in federal court.

Therefore, Plaintiff is ORDERED TO SHOW CAUSE why his Complaint should not be dismissed for lack of federal subject matter jurisdiction. No later than **December 22, 2008**, Plaintiff must file either a brief (a written explanation) or an amended complaint that: (1) identifies the jurisdiction on which he bases his claim, and (2) includes clear, concise factual allegations of the circumstances and events that form the basis of his dispute with Defendants. Otherwise, the case will be dismissed.

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Initials of Preparer \_\_\_\_\_ : \_\_\_\_\_  
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