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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 ONDREA TYE, an individual, ) Case No. CV 14-06160 DDP (JCx)  
12 )  
12 Plaintiff, ) **ORDER TO SHOW CAUSE RE: AMOUNT IN**  
13 ) **CONTROVERSY**  
13 v. )  
14 )  
14 JEANETTE RUNYON, an )  
15 individual, )  
15 )  
16 Defendant. )  
16 \_\_\_\_\_ )

17 Plaintiff Ondrea Tye is ordered to show cause why this action  
18 should not be dismissed for lack of subject matter jurisdiction.  
19 Plaintiff filed this action to this Court on the basis of diversity  
20 jurisdiction. District courts have original jurisdiction over "all  
21 civil actions where the matter in controversy exceeds the sum or  
22 value of \$75,000, exclusive of interest and costs, and is between  
23 citizens of different States." 28 U.S.C. § 1332(a). Plaintiff has  
24 not shown that the amount in controversy exceeds the sum or value  
25 of \$75,000.

26 Plaintiff relies on the conclusory statement that the amount  
27 of controversy exceeds \$75,000 exclusive of interest and costs. In  
28 Plaintiff's prayer for relief, Plaintiff seeks "monetary damages in

1 excess of \$75,000 or according to proof." (Compl. p. 18.) The  
2 court finds no indication that this action will meet the amount in  
3 controversy. "[I]f, from the face of the pleadings, it is apparent,  
4 to a legal certainty, that the plaintiff cannot recover the amount  
5 claimed . . . the suit will be dismissed." St. Paul Mercury Indem.  
6 Co. v. Red Cab Co., 303 U.S. 283, 289 (1938). From the face of the  
7 complaint, the Court does not understand how the plaintiff's  
8 damages will exceed \$75,000.

9 Accordingly, the Court orders Plaintiff to file a brief, not  
10 to exceed five pages, within 10 days of the date of this order,  
11 showing cause why this action should not be remanded for lack of  
12 jurisdiction. Plaintiff should also deliver a courtesy copy to  
13 chambers, Room 244-J, Second Floor, 312 N. Spring Street, Los  
14 Angeles. The Court will regard any failure to file an explanatory  
15 brief as consent to remand this matter.

16  
17 IT IS SO ORDERED.

18  
19 Dated: October 16, 2014

  
DEAN D. PREGERSON  
United States District Judge