

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **EDCV 13-01188-JGB (OP)**

Date August 13, 2013

Title ***Vicki Lynn Barber v. Citimortgage, Inc. et al.***

Present: The Honorable **JESUS G. BERNAL, UNITED STATES DISTRICT JUDGE**

MAYNOR GALVEZ

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

Proceedings: ORDER To Show Cause re: Subject Matter Jurisdiction (IN CHAMBERS)

Plaintiff Vicki Lynn Barber filed a Complaint on July 3, 2013. (“Complaint,” Doc. No. 1.) The Complaint alleges that Defendant Citimortgage, Inc. maintains that Plaintiff is in default on a home loan although Plaintiff has made all payments and fulfilled all obligations of a loan modification plan entered into by the parties. (Compl. ¶¶ 7-21.) The Complaint alleges jurisdiction on the basis of diversity. (Compl. ¶ 1.)

“The district courts . . . have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs and is between citizens of different States . . .” 28 U.S.C. § 1332(a); see also Matheson v. Progressive Specialty Ins. Co., 319 F.3d 1089, 1090 (9th Cir. 2003) (“[J]urisdiction founded on [diversity] requires that the parties be in complete diversity and the amount in controversy exceed \$75,000”). The “amount in controversy is determined from the face of the pleadings.” Crum v. Circus Circus Enters., 231 F.3d 1129, 1131 (9th Cir. 2000).

While the parties satisfy the complete diversity of citizenship requirement of 28 U.S.C. § 1332, Plaintiff fails to allege that the amount in controversy exceeds \$75,000.

The Court Orders Plaintiff to show cause in writing no later than **August 21, 2013** why this action should not be dismissed for lack of subject matter jurisdiction.

IT IS SO ORDERED.