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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DARIO CAMPOS VILLAR,  
Plaintiff,  
v.  
MICHAEL TIPSOR, et al.,  
Defendants.

Case No. [16-cv-00816-MEJ](#)

**ORDER TO SHOW CAUSE**

Plaintiff Dario Campos Villar filed this case on February 18, 2016, seeking damages related to a car accident that occurred on November 10, 2015. He bring claims for “Insurance Bad Faith, Personal Injury, Negle[c]t, Elder Abused, Damages, Intentional Tort, Plot, Discrimination, [and] Intentional Plot.” Compl. at 1, Dkt. No. 1. To the extent Plaintiff brings actionable claims, they are based in state tort law. Further, he brings his claims against several named defendants that appear to be residents of California. As such, it appears that jurisdiction is lacking and any claims Plaintiff may have are properly raised in state court.

Accordingly, the Court hereby ORDERS Plaintiff Dario Campos Villar to show cause why this case should not be dismissed for lack of subject matter jurisdiction. There are two bases for federal subject matter jurisdiction: (1) federal question jurisdiction under 28 U.S.C. § 1331 and (2) diversity jurisdiction under 28 U.S.C. § 1332. Pursuant to the federal question jurisdiction statute, district courts have original jurisdiction over all civil actions arising under the Constitution, laws, or treaties of the United States. 28 U.S.C. § 1331. For diversity jurisdiction pursuant to 28 U.S.C. § 1332, each plaintiff must be diverse from each defendant, and the amount in controversy must exceed \$75,000.

Plaintiff shall file a declaration by March 3, 2016. If a responsive declaration is filed, the

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Court shall either issue an order based on the declaration or conduct a hearing on March 17, 2016 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. Notice is hereby provided to Plaintiff that the Court may dismiss this case without a hearing if no responsive declaration is filed. Thus, it is imperative that the Court receive a written response by the deadline above.

**IT IS SO ORDERED.**

Dated: February 22, 2016

  
\_\_\_\_\_  
MARIA-ELENA JAMES  
United States Magistrate Judge

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3 DARIO CAMPOS VILLAR,  
4 Plaintiff,  
5 v.  
6 MICHAEL TIPSOR, et al.,  
7 Defendants.  
8

Case No. [16-cv-00816-MEJ](#)

**CERTIFICATE OF SERVICE**

9  
10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

11 That on February 22, 2016, I SERVED a true and correct copy(ies) of the attached, by  
12 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by  
13 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery  
14 receptacle located in the Clerk's office.

15 Dario Campos Villar  
16 46 Cielito Drive  
17 San Francisco, CA 94134

18 Dated: February 22, 2016

19 Richard W. Wieking  
20 Clerk, United States District Court

21 

22 By: \_\_\_\_\_  
23 Chris Nathan, Deputy Clerk to the  
24 Honorable MARIA-ELENA JAMES  
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United States District Court  
Northern District of California