

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Wiley Y. Daniel

Civil Action No. 13-cv-02302-WYD-KLM

TYLER HOOG,

Plaintiff,

v.

CHRYSLER GROUP, LLC,

Defendant.

ORDER OF DISMISSAL

THIS MATTER is before the Court on Defendant Chrysler Group LLC's Motion to Dismiss filed February 12, 2014. The motion seeks to dismiss this case for lack of subject matter jurisdiction under 28 U.S.C. § 1332 because Plaintiff is a citizen of Colorado and as of the date of the filing of the case and up to the date of the filing of the motion to dismiss, Chrysler Group could not confirm that it was not a citizen of Colorado. Accordingly, the motion asserts that diversity jurisdiction is lacking.

While Plaintiff contends that the parties are diverse and jurisdiction is proper, Plaintiff confesses the motion for lack of subject matter jurisdiction so long as the dismissal is without prejudice. Having confessed the motion, I find that dismissal of this case is appropriate. Accordingly, it is

ORDERED that Defendant Chrysler Group LLC's Motion to Dismiss (ECF No. 18) is **GRANTED** and this case **DISMISSED WITHOUT PREJUDICE** due to lack of subject matter jurisdiction.

Dated: May 28, 2014

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Senior United States District Judge