

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

KHALED ASSAD,

Plaintiff,

v.

Case No. 8:06-cv-1339-T-24 EAJ

SM CLEAN, LLC,

Defendant.

ORDER

This cause comes before the Court on its own. Plaintiff filed a breach of contract complaint in this Court based on diversity jurisdiction. Plaintiff alleges that he is a resident of Florida and that Defendant is a resident of Tennessee. Plaintiff further alleges that the amount in controversy exceeds fifteen thousand dollars. However, in order for subject matter jurisdiction based on diversity to exist, the amount in controversy must exceed \$75,000, exclusive of interest and costs. 28 U.S.C. § 1332. Since Plaintiff's complaint fails to properly allege diversity jurisdiction, the Court dismisses the complaint without prejudice and directs Plaintiff to file an amended complaint that properly alleges diversity jurisdiction by August 3, 2006 or the Court will close this case.

DONE AND ORDERED at Tampa, Florida, this 20th day of July, 2006.


SUSAN C. BUCKLEW
United States District Judge

Copies to:
Counsel of Record