

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 14-61238-CIV-MORENO

REGINIA CAMEL,

Plaintiff,

vs.

JUSTIN YOVINO, individually, and HOLY
CROSS HOSPITAL,

Defendants.

ORDER DISMISSING CASE AND DENYING ALL PENDING MOTIONS AS MOOT

THIS CAUSE came before the Court upon a *sua sponte* examination of the record. For the reasons set forth below, this case is DISMISSED. Additionally, all pending motions are DENIED AS MOOT.


In his *in forma pauperis* complaint, the Plaintiff, a resident of Florida, alleges under state tort law that she suffered harm from Defendant, a resident of Florida, who is employed by Defendant Holy Cross Hospital, incorporated in Florida. It is axiomatic that federal courts are courts of limited jurisdiction. *Russell Corp. v. American Home Assur. Co.*, 264 F.3d 1040, 1050 (11th Cir.2001). A federal district court may exercise subject matter jurisdiction over a civil action in which only state law claims are alleged if the civil action arises under the federal court's diversity jurisdiction. 28 U.S.C. § 1332(a)(1). Jurisdiction based on diversity of citizenship exists in civil actions where the amount in controversy exceeds \$75,000 and the action is between "citizens of different States." 28 U.S.C. § 1332(a)(1). Diversity jurisdiction requires complete diversity; every plaintiff must be diverse from every defendant. *Tapscott v. MS Dealer Service Corp.*, 77 F.3d 1353, 1355 (11th

Cir.1996).

Here, the Complaint alleges that Plaintiff and Defendants are residents of Florida and fails to allege an amount in controversy sufficient for diversity jurisdiction. Complete diversity of citizenship does not exist and the Court lacks subject-matter jurisdiction. Accordingly, it is

ADJUDGED that this case is **DISMISSED**, and all pending motions are **DENIED AS MOOT**. This case is **CLOSED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 10th day of June, 2014.



FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies provided to: