

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 15-60523-CIV-COHN

MRS. ELSY EMILE MATTAR NASSIF,

Plaintiff,

v.

THE STATE OF FLORIDA,
THE CITY OF PLANTATION,
THE CITY OF DAVIE, and
FOUNTAIN SPRINGS
HOMEOWNERS' ASSOCIATION,Defendants.

ORDER DISMISSING CASE FOR LACK OF JURISDICTION

THIS CAUSE is before the Court upon Plaintiff's pro se Complaint [DE 1] and Application to Proceed in District Court Without Prepaying Fees or Costs [DE 3]. The Court has carefully reviewed these filings and is otherwise fully advised in the premises.

The Complaint is disjointed and largely incomprehensible. Plaintiff appears to claim "Defamation of Character," DE 1 at 1, though she pleads no specific facts about how, or by whom, she was allegedly defamed. See id. at 1-2. A more fundamental problem also exists: Plaintiff fails to explain the basis for federal jurisdiction over her defamation claim against Defendants. See Underwriters at Lloyd's v. Osting-Schwinn, 613 F.3d 1079, 1085 (11th Cir. 2010) ("The party commencing suit in federal court . . . has the burden of establishing, by a preponderance of the evidence, facts supporting the existence of federal jurisdiction."). Instead, Plaintiff merely states that she "want[s] to be heard in a court (Federal) of law regarding injustice." DE 1 at 1. Because Plaintiff has not met her burden of demonstrating that subject-matter jurisdiction is present,

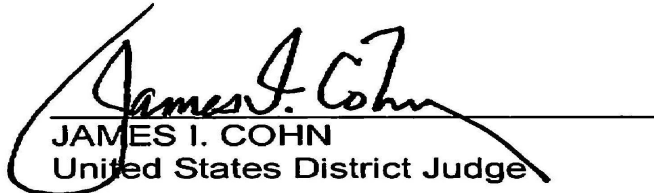
dismissal is required. See Fed. R. Civ. P. 12(h)(3) (“If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.”).

Accordingly, it is hereby

ORDERED AND ADJUDGED as follows:

1. The above-styled action is **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction;
2. Plaintiff’s Application to Proceed in District Court Without Prepaying Fees or Costs [DE 3] is **DENIED**; and
3. The Clerk shall **CLOSE** this case and **DENY AS MOOT** all pending motions.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 17th day of March, 2015.


JAMES I. COHN
United States District Judge

Copies provided to:

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