

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

MYRNA MANEJA SOLIVEN,)	CIVIL NO. 14-00244 SOM/RLP
)	
Plaintiff,)	ORDER REGARDING SUBJECT MATTER
)	JURISDICTION
vs.)	
)	
GARY KOKYU YAMASHIRO; JOHN)	
DOES 1-50; JANE DOES 1-50,)	
)	
Defendants.)	
_____)	

ORDER REGARDING SUBJECT MATTER JURISDICTION

Plaintiff Myrna Maneja Soliven is ordered to submit, no later than June 16, 2014, a written statement of no more than 1500 words explaining why this court has jurisdiction over her lawsuit. This court has jurisdiction to review claims satisfying the requirements for diversity jurisdiction and claims involving a federal question. The court cannot discern from the Complaint that either diversity or federal question requirements are satisfied.

If Ms. Soliven and Defendant Gary Kokyu Yamashiro are both citizens of the State of Hawaii (that is, if they both reside in Hawaii and intend to make this their permanent home), then this court lacks diversity jurisdiction. Even if they are not both citizens of Hawaii, the court lacks diversity jurisdiction if the dollar amount in dispute is not greater than \$75,000. See 28 U.S.C. § 1332.

If Ms. Soliven is before this court asserting federal question jurisdiction, then she must point to language in her Complaint supporting a claim based on a violation of federal law. Although the Complaint refers to federal criminal statutes, those statutes are not laws that Ms. Soliven can sue under. A criminal statute allows an attorney representing the United States to pursue criminal charges against a defendant. Ms. Soliven nowhere claims to be representing the United States. Instead, she is bringing claims as an individual. Unless she can point to a claim she is bringing as an individual that arises under federal law, this court lacks federal question jurisdiction. See 28 U.S.C. § 1331.

If neither diversity requirements nor federal question requirements are satisfied, then this court lacks jurisdiction over this action and will dismiss it on that ground. Ms. Soliven may then consider whether she may file her claims in state court.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, May 28, 2014.



/s/ Susan Oki Mollway
Susan Oki Mollway
Chief United States District Judge

Soliven v. Yamashiro; Civ. No. 14-00244 SOM/RLP
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