

**IN THE  
UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
PEORIA DIVISION**

QUINN RICKERT,  
Plaintiff,

v.

CHASE BANK,  
Defendant.

Case No. 1:17-cv-01483-JES-JEH

**Order**

The Plaintiff, Quinn Rickert, filed his Complaint on October 27, 2017. (D. 1).<sup>1</sup> The Plaintiff's Complaint asserts diversity of citizenship as the basis for the Court's jurisdiction. *Id.* at pg. 1. The allegations of the Complaint are insufficient to support that assertion. The Court may *sua sponte* raise the issue of federal subject matter jurisdiction. *Tylka v. Gerber Products Co.*, 211 F.3d 445, 447 (7th Cir. 2000) (citations omitted).

First, the Plaintiff fails to allege his own citizenship. *Id.* Parties asserting diversity jurisdiction based on parties hailing from different states must allege the citizenship of each party, not the residence. *See Held v. Held*, 137 F.3d 998 (7th Cir.1998); *Pollution Control Indus. of Am., Inc. v. Van Gundy*, 21 F.3d 152, 155 (7th Cir.1994). The Plaintiff's allegations, which fail to assert citizenship, are insufficient to establish diversity of citizenship jurisdiction.

Additionally, a complaint based on diversity jurisdiction must allege the state of incorporation and principal place of business for each of the named corporations, and those allegations must be based on the state of things at the time the action was brought. 28 USC § 1332(c)(1); *Grupo Dataflux v Atlas Global Group, LP*, 541 US 567, 570-71 (2004). Here, the Plaintiff's Complaint does not allege any of the required information about the Defendant. Therefore, the Plaintiff's complaint is further insufficient to invoke diversity jurisdiction.

The Court may grant leave to amend defective allegations of subject matter jurisdiction pursuant to 28 U.S.C. § 1653. See also, *Leaf v. Supreme Court of State of Wis.*, 979 F.2d 589, 595

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<sup>1</sup> Citations to the Docket in this case are abbreviated as "D. \_\_\_."

(7th Cir. 1992)(“leave to amend defective allegations of subject matter jurisdiction should be freely given”)(citations omitted). The Plaintiff is directed to file an amended complaint that adequately alleges the factual basis for this Court’s jurisdiction. Accordingly, it is hereby ORDERED that the Plaintiff file an Amended Complaint not later than twenty one (21) days from the date of entry of this Order. In the Amended Complaint, the Plaintiff shall properly allege the basis for this Court’s jurisdiction.

*It is so ordered.*

Entered on October 30, 2017

s/James E. Shadid

CHIEF U.S. DISTRICT JUDGE