

IN UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

PAULA UNDERHILL, *individually and as*  
SPECIAL ADMINISTRATOR OF THE  
ESTATE OF GALEN UNDERHILL, *and*  
SEAN UNDERHILL,

Plaintiffs,

v.

THE COLEMAN COMPANY, INC.,

Defendant.

Case No. 3:12-cv-00129-JPG-DGW

MEMORANDUM & ORDER

In light of Seventh Circuit admonitions, *see, e.g., America's Best Inns, Inc. v. Best Inns of Abilene, L.P.*, 980 F.2d 1072 (1992), the Court has undertaken a rigorous initial review of pleadings to ensure that jurisdiction has been properly pled. The Court has noted the following defect in the jurisdictional allegations of the Notice of Removal and Complaint (Doc. 2) filed by defendant Coleman Company.

The complaint and notice of removal fail to allege the citizenship of the individual plaintiffs. A complaint asserting diversity jurisdiction must allege the citizenship of an individual defendant, not merely residence. 28 U.S.C. § 1332(a)(1); *Meyerson v. Harrah's East Chicago Casino*, 299 F.3d 616, 617 (7th Cir. 2002); *Held v. Held*, 137 F.3d 998, 1000 (7th Cir. 1998). Allegations of "residence" are jurisdictionally insufficient. *Steigleder v. McQuesten*, 198 U.S. 141 (1905). Dismissal is appropriate where parties allege residence but not citizenship. *Held*, 137 F.3d at 1000. The Court must know each party's state citizenship, which is to say domicile. *Denlinger v. Brennan*, 87 F.3d 214 (7th Cir.1996).

The Court hereby **ORDERS** the plaintiff shall have up to and including February 27, 2012 to amend the faulty pleading to correct the jurisdictional defect. Failure to amend the faulty pleading may result in dismissal or remand of this case for lack of jurisdiction. Amendment of the faulty pleading to reflect an adequate basis for subject matter jurisdiction will satisfy this order. Plaintiff Underhill is directed to consult Local Rule 15.1 regarding amended pleadings and need not seek leave of Court to file such amended pleading.

**IT IS SO ORDERED.**

**DATED: February 15, 2012**

s./ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**