

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

WILLIAM BOGAN,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 1:13-CV-256
)	
KAWASAKI MOTORS CORPORATION,)	
USA,)	
)	
Defendant.)	

OPINION AND ORDER

This case was filed by Plaintiff William Bogan based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) Now before the Court is Plaintiff’s Amended Complaint alleging that “[a]t all relevant times, Plaintiff William Bogan was a resident of Huntington County, Indiana, and is a citizen of the United States.” (Am. Compl. ¶ 1.)

Plaintiff’s Amended Complaint, however, is inadequate for purposes of establishing diversity jurisdiction. As explained in this Court’s Order dated August 28, 2013 (Docket # 4), the “residency” of the Plaintiff is meaningless for purposes of diversity jurisdiction, as state “citizenship is what matters.” *Guar. Nat’l Title Co. v. J.E.G. Assocs.*, 101 F.3d 57, 58-59 (7th Cir. 1996) (explaining that statements concerning a party’s “residency” are not proper allegations of citizenship as required by 28 U.S.C. § 1332)

An individual’s state of citizenship “is the state of the individual’s domicile.” *Galva Foundry Co. v. Heiden*, 924 F.2d 729, 730 (7th Cir. 1991); *see Dausch v. Rykse*, 9 F.3d 1244, 1245 (7th Cir. 1993) (“For natural persons, state citizenship is determined by one’s domicile.”); *see also Heinen v. Northrop Grumman Corp.*, 671 F.3d 669, 670 (7th Cir. 2012) (“But residence

may or may not demonstrate citizenship, which depends on domicile—that is to say, the state in which a person intends to live over the long run.”); *Am. ’s Best Inns, Inc. v. Best Inns of Abilene, L.P.*, 980 F.2d 1072, 1074 (7th Cir. 1992) (“In federal law citizenship means domicile, not residence.”).

For this reason, Plaintiff is ORDERED to file an amended complaint forthwith that properly articulates each party’s state of citizenship.

SO ORDERED.

Enter for this 30th day of August, 2013.

/S/ Roger B. Cosby
Roger B. Cosby,
United States Magistrate Judge