

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

JOY JONES,)	
)	
Plaintiff,)	
)	Cause No. 1:18-CV-125-TLS
v.)	
)	
WELLS FARGO BANK, N.A., and JOHN)	
DOE, et al.,)	
)	
Defendants.)	

OPINION AND ORDER

This matter is before the Court on the Plaintiff’s Motion for an Emergency Stay to Review State Court Proceedings for a Just Adjudication of a Federal Complaint [ECF No. 14]. The Motion was filed on September 25, 2018---the same day that this Court dismissed her complaint for lack of subject matter jurisdiction. (Op. and Order Dismissing Pl.’s Second Am. Compl., ECF No. 12). This Court still lacks jurisdiction to consider the Plaintiff’s Motion.

A federal district court must dismiss a complaint if the complaint does not state a basis for federal jurisdiction, or the alleged jurisdictional basis is made solely for the purpose of obtaining jurisdiction or is wholly insubstantial and frivolous. *Bell v. Hood*, 327 U.S. 678, 681-82 (1946); *Smith v. Am. Gen. Life and Ins. Co.*, 337 F.3d 888, 895 (7th Cir. 2003). This Court dismissed the Plaintiff’s complaint for lack of subject matter jurisdiction in accordance with the *Rooker-Feldman* doctrine (Op. and Order Dismissing Pl.’s Second Am. Compl.). The Plaintiff now seeks an emergency order for a stay of proceedings in state court, without addressing the Court’s lack of jurisdiction that resulted in the dismissal of her complaint. The Plaintiff merely alleges the same claims and facts as she did in her Second Amended Complaint, without

providing a basis for the Court's jurisdiction. Accordingly, this Court lacks jurisdiction to consider her Motion and finds no basis to reopen her case.

CONCLUSION

For the reasons set forth above, the Plaintiff's Motion for an Emergency Stay [ECF No. 14] is DENIED as the Plaintiff's Complaint was dismissed for lack of subject matter jurisdiction and no basis exists to reopen her case.

SO ORDERED on September 28, 2018.

s/ Theresa L. Springmann
CHIEF JUDGE THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT