

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

SHAROON COON and)	
CHARLES COON,)	
)	
Plaintiffs)	
)	
vs.)	CAUSE NO. 2:09-CV-254 RM
)	
WYETH d/b/a WYETH, INC.,)	
WYETH PHARMACEUTICALS,)	
WYETH LABORATORIES, INC.,)	
and WYETH-AYERST)	
PHARMACEUTICALS, INC.,)	
)	
Defendants)	

OPINION and ORDER

The court has the obligation to inquire into its own subject matter jurisdiction. Craig v. Ontario Corp., 543 F.3d 872, 875 (7th Cir. 2008). The plaintiffs' amended complaint does not sufficiently allege the existence of jurisdiction.

Plaintiffs filed their original complaint on August 21, 2009 [Doc. No. 1]. The court found their complaint failed to sufficiently allege the existence of jurisdiction pursuant to 28 U.S.C. § 1332, explained its reasons for so finding, and granted plaintiffs 20 days to amend their complaint. [Doc. No. 4]. Plaintiffs have since filed an amended complaint [Doc. No. 6], which contains two of the three same jurisdictional deficiencies noted in the court's previous opinion and order (citizenship of plaintiffs and defendants).

Without a sufficient showing of diversity jurisdiction under 28 U.S.C. § 1332 this court doesn't have the power to hear this case and must dismiss it. FED. R. Civ. P. 12(h)(3); Thomas v. Guardsmark, LLC, 487 F.3d 531, 534 (7th Cir. 2007). Accordingly, this case is DISMISSED in its entirety, without prejudice.

SO ORDERED.

ENTERED: September 16, 2009

_____/s/ Robert L. Miller, Jr._____
Chief Judge
United States District Court