

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

MONIQUE ROBINSON Claimant,)
JULIAN MCNEIL,)
UNITED STATES OF AMERICA Claimant,)

Plaintiffs,)

v.)

No. 1:23-cv-00936-TWP-MG

WASHINGTON TOWNSHIP OF INDIANA,)
COUNTY OF MARION,)
DONALD WILLIAM DEBONE,)
STEVEN G. POORE,)
BRANDI SNEAD,)
LANDMAN BEATTY LAWYERS, LLP,)
ORLOFF PROPERTY MANAGEMENT,)

Defendants.)

**ENTRY DISMISSING ACTION AND
DIRECTING ENTRY OF FINAL JUDGMENT**

In the Entry of June 27, 2023, the Court screened the Plaintiffs' Claim for Damages and Notice of Removal to Federal Court and explained that it is subject to dismissal for lack of jurisdiction pursuant to 28 U.S.C. § 1915(e)(2)(B) because of a failure to state a claim upon which relief may be granted ([Filing No. 8](#)). The Court gave the Plaintiffs an opportunity to amend their Complaint no later than July 28, 2023, and show cause why this case should not be dismissed because of lack of subject-matter jurisdiction.

On July 28, 2023, the Plaintiffs filed a Notice to Principal, a Writ of Extraordinary Demands, and a Power of Attorney in Fact & Hold Harmless/Indemnity Identities ([Filing No. 9](#)). The Plaintiffs' Notice is similarly deficient and fails to address or cure the problems of the initial Complaint by continuing to fail to state a claim upon which relief may be granted. In the Notice, it appears that Plaintiffs are asserting claims under the Uniform Commercial Code ("UCC") against

Defendant Orloff Property Management. However, as a threshold matter, those claims arise under state law, not federal law. *See Delglyn v. Educators Credit Union*, No. 19-CV-350, 2019 WL 1714474, at *2, n.1 (E.D. Wis. Apr. 17, 2019) ("The UCC is a uniform code which was developed by legal academics. The UCC only becomes law when it is enacted by a particular state. . . . Any purported UCC issues are, therefore, matters of state law."). Plaintiffs have not adequately alleged any claims arising under federal law, nor have they adequately alleged diversity of citizenship. This action therefore must be dismissed for lack of subject-matter jurisdiction.

The Court gave notice to the Plaintiffs regarding the jurisdictional deficiencies of their initial Complaint and provided them with an opportunity to respond. *See Aljabri v. Holder*, 745 F.3d 816, 819 (7th Cir. 2014). Because the Plaintiffs have failed to cure the deficiencies of their initial Complaint, for the reasons discussed in the screening Entry, this action is **dismissed for lack of jurisdiction**. *See* 28 U.S.C. § 1915(e)(2)(B). Final judgment consistent with this Entry will be issued under separate order.

SO ORDERED.

Date: 8/2/2023



Hon. Tanya Walton Pratt, Chief Judge
United States District Court
Southern District of Indiana

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