

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION**

TAMMY BLEVINS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:17-cv-00083-TWP-TAB
)	
GAMING ENTERTAINMENT (INDIANA))	
LLC doing business as RISING STAR)	
CASINO RESORT,)	
FULL HOUSE RESORTS, INC. doing)	
business as RISING STAR CASINO)	
RESORT,)	
)	
Defendants.)	

ENTRY ON JURISDICTION

It has come to the Court's attention that Plaintiff's Complaint fails to allege all of the facts necessary to determine whether the Court has subject matter jurisdiction over this case. The Complaint alleges jurisdiction based upon diversity of citizenship. However, the Complaint fails to sufficiently allege the citizenship of the parties. Citizenship is the operative consideration for jurisdictional purposes. *See Meyerson v. Harrah's East Chicago Casino*, 299 F.3d 616, 617 (7th Cir. 2002) ("residence and citizenship are not synonyms and it is the latter that matters for purposes of the diversity jurisdiction"). The Complaint alleges "Plaintiff, Tammy Blevins, is and at all times pertinent hereto was a resident of the state of Kentucky and presently resides at 520 Rose Creek Drive, Radcliff, Kentucky 40160." ([Filing No. 1 at 2](#).) The allegation of residency, rather than citizenship, is insufficient to allow the Court to determine whether diversity jurisdiction exists.

Additionally, the citizenship of a corporation is "both the state of incorporation and the state in which the corporation has its principal place of business." *Westfield Ins. Co. v. Kuhns*, 2011 U.S. Dist. LEXIS 138262, at *3 (S.D. Ind. Nov. 30, 2011). The Complaint asserts:

Defendant, Full House Resort, Inc. d/b/a Rising Star Casino Resort, is and at all times pertinent hereto was Delaware Corporation with a principal place of business located at 4670 S. Ft. Apache Rd, Suite 190, Las Vegas, Nevada 89147, and operates a casino resort located at 777 Rising Star Drive, Rising Sun, Indiana 47040.

([Filing No. 1 at 2.](#)) This jurisdictional allegation does not establish the citizenship of Defendant Full House Resort, Inc., because it fails to allege the state of incorporation.

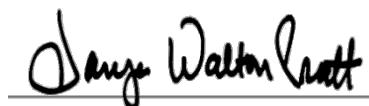
Further, “[f]or diversity jurisdiction purposes, the citizenship of an LLC is the citizenship of each of its members.” *Thomas v. Guardsmark, LLC*, 487 F.3d 531, 534 (7th Cir. 2007). “Consequently, an LLC’s jurisdictional statement must identify the citizenship of each of its members as of the date the complaint or notice of removal was filed, and, if those members have members, the citizenship of those members as well.” *Id.*

The Complaint states “Defendant, Gaming Entertainment (Indiana) LLC d/b/a Rising Star Casino Resort is and at all times pertinent hereto was a Nevada Limited Liability Company with a principal place of business located at 4670 S. Ft. Apache Rd, Suite 190, Las Vegas, Nevada 89147, and operates a casino resort located at 777 Rising Star Drive, Rising Sun, Indiana 47040.” ([Filing No. 1 at 2.](#)) This jurisdictional allegation does not establish the citizenship of Defendant Gaming Entertainment, LLC. Alleging the identity and citizenship of each of the members of the Defendant limited liability company is necessary for this Court to determine whether it has jurisdiction.

Plaintiff is **ORDERED** to file a Supplemental Jurisdictional Statement that establishes the Court’s jurisdiction over this case. This statement should specifically identify the citizenship of the parties. This jurisdictional statement is due **fourteen (14) days** from the date of this Entry.

SO ORDERED.

Date: 5/15/2017



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

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