

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**TREVOR RUIZ**

**VERSUS**

**TURN SERVICES, LLC**

**CIVIL ACTION**

**NO. 19-1400**

**SECTION "L" (5)**

**ORDER AND REASONS**


Before the Court is Plaintiff's unopposed Motion to Strike Jury Demand (R. Doc. 17). No opposition was filed.

Plaintiff Trevor Ruiz alleges he was injured while working as a seaman aboard a vessel owned and operated by Turn Services, LLC. He filed this lawsuit against Turn Services, invoking jurisdiction of this Court "pursuant to federal jurisdiction over admiralty and maritime claims; Jones Act, 46 U.S.C. 30104, General Maritime Law, 28 U.S.C. 1331 and pursuant to Rule 9(h) of the Federal Rules of Civil Procedure." (R. Doc. 1 at 1). In answer, Turn Services prayed for a trial by jury.

"[T]he Jones Act plaintiff can elect a non-jury trial in federal court either 1) by electing to sue in admiralty or 2) by grounding his suit on federal question jurisdiction, i.e., the Jones Act, and not requesting a jury." *Linton v. Great Lakes Dredge & Dock Co.*, 964 F.2d 1480, 1490 (5th Cir. 1992). "It is well settled that the Jones Act gives only the seaman-plaintiff the right to choose a jury trial." *Everett v. Atl. Sounding Co.*, No. 07-5302, 2008 WL 4443047, at \*2 (E.D. La. Sept. 26, 2008). Accordingly,

**IT IS ORDERED** that Plaintiff's unopposed Motion to Strike Jury Demand, R. Doc. 17, is **GRANTED**. The jury demand in Defendant Turn Services, LLC's answer, R. Doc. 6, shall be stricken.

New Orleans, Louisiana, this 15th day of May, 2019.

  
UNITED STATES DISTRICT JUDGE