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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

NATCHEZ-ADAMS SCHOOL  
DISTRICT,  
Plaintiff

CIVIL ACTION NO. 1:17-CV-00991

VERSUS

CHIEF JUDGE DRELL

SRM PROPERTIES, LLC, *ET AL.*,  
Defendants

MAGISTRATE JUDGE PEREZ-MONTES

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**JURISDICTIONAL REVIEW FINDINGS AND ORDER**

Before the Court is a Complaint premising federal jurisdiction upon diversity of citizenship. (Doc. 1). In response to this Court's *Sua Sponte* Jurisdictional Briefing Order (Doc. 10), Plaintiff Natchez-Adams School District ("NASD") filed a Memorandum in Support of Subject Matter Jurisdiction with Exhibit "A" to support its jurisdictional allegations. (Doc. 19). NASD also filed a Motion for Authority to File First Amended Complaint (Doc. 20) to properly allege diversity jurisdiction.

Before NASD filed its memorandum, Defendants filed a Motion to Dismiss (Doc. 8) under Fed. R. Civ. P. 12(b)(1), arguing Paragraph 4 of NASD's petition alleges subject matter jurisdiction exists under "42 U.S.C. § 1332," which Defendants argue has been repealed. Defendant requests the Court dismiss NASD's petition because "42 U.S.C. § 1332" does not grant subject matter jurisdiction to the Court. (Doc. 8). The record shows NASD intended to cite diversity jurisdiction under 28 U.S.C. § 1332.

"[S]ubject-matter jurisdiction, because it involves a court's power to hear a case, can never be forfeited or waived." Arbaugh v. Y&H Corp., 546 U.S. 500, 514

(2006) (citing Ruhrigas AG v. Marathon Oil Co., 526 U.S. 574, 583 (1999)). The Court has “an independent obligation to determine whether subject-matter jurisdiction exists, even in the absence of a challenge from any party.” Id.

NASD, a political subdivision of the State of Mississippi, is a Mississippi citizen.

Defendant SRM Properties, LLC (“SRM”) is a limited liability company, with its sole member being Susan R. Meng, a citizen of Louisiana. SRM is a citizen of Louisiana.

Defendant Swamp Cat Timber, LLC (“Swamp Cat”) is a limited liability company, with its sole member being Susan R. Meng, a citizen of Louisiana. Swamp Cat is a citizen of Louisiana.

Accordingly, diversity jurisdiction is established. No further action is necessary at this time. This finding is preliminary in nature, and may be reconsidered *sua sponte* or upon appropriate motion.

**IT IS ORDERED** that NASD’s Motion for Authority to File First Amended Complaint for Judicial Recognition of Servitude of Passage (Doc. 20) is GRANTED.

**IT IS FURTHER ORDERED** that Defendants Motion to Dismiss (Doc. 8) is DENIED as moot.

THUS DONE AND SIGNED in chambers in Alexandria, Louisiana, this 11th day of October, 2017.

  
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Joseph H.L. Perez-Montes  
United States Magistrate Judge