

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JOSEPH F. ELLIS JR.	:	
	:	
	:	
v.	:	Civil No. CCB-15-705
	:	
	:	
LIFERICH PUBLISHING	:	
	:	

MEMORANDUM

Joseph F. Ellis Jr. sues Author Solutions LLC (“Author Solutions”),¹ alleging breach of a contract to issue a press release publicizing his book, *In Defense of Jesus*. (See Compl. 1, ECF No. 1.) He seeks \$10,740 in damages. (See *id.* at 2.) Ellis is not represented by counsel.

Author Solutions moves to dismiss this case for want of federal jurisdiction. (See Mot. to Dismiss, ECF No. 6.) Generally, this court’s jurisdiction extends to (1) “civil actions arising under the Constitution, laws, or treaties of the United States,” 28 U.S.C. § 1331, and (2) disputes between citizens of different states “where the amount in controversy exceeds the sum or value of \$75,000,” 28 U.S.C. § 1332(a). These two varieties of jurisdiction are known as federal question jurisdiction and diversity jurisdiction, respectively.

As to that first type of jurisdiction, Ellis does not allege any federal question; he asserts a breach of contract, which sounds in state law. In his opposition, Ellis suggests that his complaint also includes claims of fraudulent misrepresentation, deception, and theft. (See Opp. Mot. to Dismiss 2, ECF No. 9.) Even if that were true, those claims also sound in state law, and none supports this court’s federal question jurisdiction.

¹ Ellis’ complaint names LifeRich Publishing, not Author Solutions. But LifeRich is not a legal entity. It is the trade name under which Author Solutions publishes books. (See Corporate Disclosure Statement, ECF No. 7.) Ellis served Author Solutions, which accepted service.

As to diversity jurisdiction, Ellis' complaint requests only \$10,740 in damages, far short of the \$75,000 jurisdictional threshold. "When a plaintiff invokes federal-court jurisdiction, the plaintiff's amount-in-controversy allegation is accepted if made in good faith." *Dart Cherokee Basin Operating Co., LLC v. Owens*, 135 S. Ct. 547, 553 (2014). Ellis appears to have filed his complaint in good faith, so the court will accept as accurate his request for damages. Further, nothing in Ellis' opposition supports a total claim of more than \$75,000 in damages, even if he had requested such a hefty award. Because Ellis' complaint does not satisfy the jurisdictional requirement, his complaint will be dismissed for lack of jurisdiction.

A separate order follows.

July 28, 2015
Date

/S/
Catherine C. Blake
United States District Judge