

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

HOWARD LINDEN,

Plaintiff,

Civil Action No. 16-13365

v.

HONORABLE DENISE PAGE HOOD

DRAKE AERIAL ENTERPRISES LLC,
et al.

Defendants.

ORDER DIRECTING PLAINTIFF TO AMEND COMPLAINT

Plaintiff alleges subject matter jurisdiction based on the Court's diversity jurisdiction under 28 U.S.C. § 1332. A review of the Complaint filed by Plaintiff fails to assert the citizenship of each member of the Defendant limited liability company. The Court is unable to determine if it has subject matter jurisdiction over the Complaint. All unincorporated entities, including a limited liability company, have the citizenship of each partner or member. *Delay v. Rosenthal Collins Group, LLC*, 585 F.3d 1003, 1005 (6th Cir. 2009); *see, Homfeld II, L.L.C. v. Comair Holdings, Inc.*, 53 F. App'x 731, 732, 2002 WL 31780184 (6th Cir. Dec. 3, 2002). Pursuant to 28 U.S.C. § 1653, Plaintiff must amend the Complaint to cure the defective allegations of jurisdiction.

Accordingly,

IT IS ORDERED that Plaintiff file an Amended Complaint only to identify each member of the Defendant limited liability company within 14 days from the entry of this Order. Failure to do so will result in the dismissal of the Complaint without prejudice for lack of prosecution. E.D. Mich. LR 41.2.

S/Denise Page Hood

Denise Page Hood

Chief Judge, United States District Court

Dated: September 29, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 29, 2016, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager