IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

BOBBY CUMBERLAND **PLAINTIFF**

v. **CAUSE NO. 3:13-CV-245-CWR-FKB**

FRISCH & ASSOCIATES CONSTRUCTION COMPANY, INC.; GREGORY WILLIAMS d/b/a WILLIAMS REMODELING; BRUCE INGRAHAM; JOHN AND JANE DOE 1-10 **DEFENDANTS**

ORDER GRANTING MOTION TO DISMISS

Before the Court is Defendant Gregory Williams' Motion to Dismiss, which seeks to dismiss Plaintiff's Complaint pursuant to Federal Rule of Civil Procedure 12(b)(1). Docket No. 13. The sole basis for federal jurisdiction alleged in Plaintiff's Complaint is diversity jurisdiction pursuant to 28 U.S.C. § 1332. Williams, however, points out that complete diversity is lacking between Plaintiff and the Defendants because Plaintiff and Williams are both Mississippi citizens. Docket No. 14, at 2-5. In response, Plaintiff concedes that complete diversity does not exist between the parties. Docket No. 15, at 1. Thus, this Court lacks subject-matter jurisdiction over this action under 28 U.S.C. § 1332, and dismissal is required.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Williams' Motion to Dismiss is GRANTED. Plaintiff's Complaint is dismissed without prejudice.

SO ORDERED, this the 7th day of August, 2013.

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE