UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PIAOWAKA C. WINDWOLF,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:12CV2156 JAR
	)	
CITIGROUP, INC., et al.,	)	
	)	
Defendants.	)	

MEMORANDUM AND ORDER

This matter is before the Court on review of the complaint for subject matter jurisdiction. Rule 12(h)(3) requires that the Court promptly review the complaint for subject matter jurisdiction and dismiss it if it is lacking. In this matter, it appears that subject matter jurisdiction is lacking, and the Court will direct plaintiff to show cause why this action should not be dismissed.

Plaintiff brings this action for wrongful foreclosure. Named as defendants are Citigroup, Inc.; CitiMortgage, Inc.; Milsap & Singer; Shareholders of Citigroup, Inc.; Shareholders of CitiMortgage, Inc.; and Shareholders of MERS d/b/a MERSCORP.

Plaintiff alleges that "CitiMortgage filed a wrongful foreclosure and illegal sale of property with no certified serving of notice of default and notice of sale because they made posting errors to my account and I filed various complaints against them and I was informed by the auditor that she could not talk to me because my account

was in foreclosure with only a week before the sale of the property of which was not known until the day before the sale by the attorney. . . . I was given two hours only to come up with what CitiMortgage said I owed."

Plaintiff states no basis in the complaint for federal question jurisdiction. See 28 U.S.C. § 1331. The allegations sound entirely in state law. Additionally, the parties are not diverse. See 28 U.S.C. § 1332. Plaintiff is a resident of Missouri, and plaintiff alleges that defendants CitiMortgage and MERSCORP are located in Missouri. As a result, plaintiff shall show cause why this action should not be dismissed for lack of subject matter jurisdiction.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [Doc. 2] is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff shall show cause, no later than twenty-one (21) days from the date of this Order, why this action should not be dismissed for lack of subject matter jurisdiction.

Dated this 28th day of November, 2012.

JOHN A. ROSS
UNITED STATES DISTRICT JUDGE