

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

PIAOWAKA C. WINDWOLF,)	
)	
Plaintiff,)	
)	
v.)	No. 4:12CV2157 JAR
)	
FREDDIE MAX., 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 illegal seizure of property. Named as defendants are Freddie Max [*sic*]; Federal Home Loan Mortgage Corp.; GSE, FHLB, Ofc. of Finance; Martin, Leith, Laws & Fritzlen; and all shareholders of the previously named entities.

Plaintiff alleges that CitiMortgage wrongfully foreclosed on his house and that Freddie Mac obtained the home as a result. After the sale, Freddie Mac, through Martin, Leith, Laws & Fritzlen, sent a letter to plaintiff outlining his options regarding

relocation or obtaining month-to-month leasing. Plaintiff does not state what option he exercised or how he was damaged by defendants.

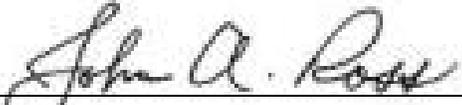
Plaintiff states no basis in the complaint for federal question jurisdiction. See 28 U.S.C. § 1331. The allegations sound entirely in state law. Additionally, the parties are not diverse. See 28 U.S.C. § 1332. Plaintiff is a resident of Missouri, and plaintiff alleges that Martin, Leith, Laws & Fritzlen is 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