

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

LISA VAUGHN,)	
)	
Plaintiff,)	
)	
v.)	No. 4:14CV01358 ERW
)	
CONRAD W. BOWERS, et al.,)	
)	
Defendants,)	

MEMORANDUM AND ORDER

This matter is before the Court on review of plaintiff’s complaint for subject matter jurisdiction. Under Rule 12(h)(3) of the Federal Rules of Civil Procedure, the Court is required to screen all cases for jurisdiction and to dismiss if jurisdiction is lacking. After carefully reviewing this case, the Court has determined that subject matter jurisdiction does not exist.

Plaintiff purports to bring this action under the “common law actions of case and trespass.” Plaintiff was given a traffic ticket by a City of Bridgeton police officer for failing to register a motor vehicle. Plaintiff claims that the City of Bridgeton does not have jurisdiction over her, and she is attempting to sue the City’s Mayor, Judges, Prosecutor, and a police officer on the basis that she has been ordered to appear in court. Plaintiff has filed a supplement to the complaint stating, “I require that no federal statute be assigned to this case. This case is to proceed according to the course of common law and federal statutes are invalid.”

“Federal courts are courts of limited jurisdiction. The requirement that jurisdiction be established as a threshold matter springs from the nature and limits of the judicial power of the United States and is inflexible and without exception.” Kessler v. Nat’l Enterprises, Inc., 347 F.3d 1076, 1081 (8th Cir. 2003) (quotation marks omitted); see Kuhl v. Hampton, 451 F.2d 340,

342 (8th Cir. 1971) (federal courts “were not established to mediate any and all types of complaints and alleged wrongs.”).

Federal jurisdiction is governed by statute. For jurisdiction to exist in this case, there must be either federal question jurisdiction or diversity jurisdiction. Federal question jurisdiction does not exist because the cause of action does not arise “under the Constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331. Diversity jurisdiction does not exist because the parties are not diverse and the amount in controversy does not exceed \$75,000. 28 U.S.C. § 1332. In consequence, the Court will order plaintiff to show cause why this action should not be dismissed under Rule 12(h)(3).

Accordingly,

IT IS HEREBY ORDERED that plaintiff shall show cause, in writing and no later than August 20, 2014, why this action should not be dismissed for lack of jurisdiction. Failure to comply with this Order will result in the dismissal of this action without further proceedings.

So Ordered this 5th day of August, 2014.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE