

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

LARRY VASSAR,

Plaintiff,

v.

UNKNOWN CRAWFORD, et al.,

Defendants.

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No. 4:16-CV-334-CAS

MEMORANDUM AND ORDER TO SHOW CAUSE

This matter is before the Court on review of the file. Plaintiff, an inmate at the South Central Correctional Center, seeks monetary relief in this action against Potosi Correctional Center (“PCC”) employees Unknown Crawford, Cindy Griffith, and Thomas W. Young. Plaintiff alleges that, while confined at PCC, certain items of his personal property were confiscated and destroyed. He is suing defendants for “personal injury torts,” including, for example, libel, defamation, conversion, emotional distress, mental anguish, and intentional neglect.

The Court notes that the instant complaint is titled “Personal Injury Tort Action,” and the style of the case states “In the Circuit Court of Washington County, Missouri.” Moreover, plaintiff’s jurisdictional statement states that this action is being brought pursuant to Missouri law for “libel/defamation and conversion, both personal injury torts making jurisdiction proper.” Plaintiff mailed his complaint to this Court, but he enclosed a cover letter addressed to the “Clerk of Court, Washington County.”

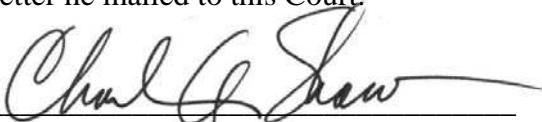
It is unclear why plaintiff mailed the instant complaint to the United States District Court for the Eastern District of Missouri, as it would appear from the face of the pleading that plaintiff intended to file this action in the Circuit Court of Washington County, Missouri, to adjudicate his state-law claims for “personal injury tort.” Moreover, the Court finds no basis for federal

jurisdiction over plaintiff's claims. As such, the Court will order plaintiff to show cause whether he intended to file his complaint in this Court, or whether the filing was in error.

Accordingly,

IT IS HEREBY ORDERED that plaintiff shall show cause, in writing, **on or before May 12, 2016**, whether he intended to file his complaint in this Court, or whether the instant filing was made in error. If plaintiff fails to do so, this action will be dismissed, without prejudice and without further notice, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that the Clerk of Court shall send plaintiff a copy of the complaint, without the exhibits, and the cover letter he mailed to this Court.


CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 12th day of April, 2016.