

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

DAWUD AMEEN HUSAIN,

Plaintiff,

v.

VERNON BETTS, et al.,

Defendants,

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No. 4:17-CV-1841 JCH

MEMORANDUM AND ORDER

Before the Court is plaintiff’s complaint, filed pro se and in forma pauperis. On July 31, 2017, plaintiff was directed to show cause as to why this matter should not be dismissed for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3). Plaintiff has failed to respond to the Court’s Order, and his time for doing so has passed.

In his complaint, plaintiff alleges that he owns the property located at 3738 Maffitt Avenue, St. Louis, Missouri. He says that Vernon Betts, the Sheriff of the City of St. Louis, as well as Joseph Neil, Attorney to the Sheriff, and Laina Favazza and Ken Jennings, Deputy Sheriffs, engaged in the sale of his property as a result of delinquent property taxes plaintiff owed to the St. Louis Collector of Revenue, Gregory F.X. Daly. He claims that defendants “trespassed” when they sold his property without his permission.

Plaintiff has failed to allege a federal cause of action for jurisdiction in this lawsuit, and his only claim is a state law claim of trespassing. In his financial affidavit, he states that his house is worth approximately \$12,000. Because this case does not arise under the Constitution, laws, or treaties of the United States, and plaintiff and defendants reside in the same state and the

amount in controversy does not exceed \$75,000, the matter is subject to dismissal for lack of subject matter jurisdiction.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's complaint is **DISMISSED** for lack of subject matter jurisdiction. *See* Fed.R.Civ.P.12(h)(3).

A separate Order of Dismissal will accompany this Memorandum and Order.

Dated this 8th day of September, 2017.

\s\ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE