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2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 Bolero,

Case No. 2:24-cv-001761-NJK

6 Plaintiff

Order Reassigning Case

7 v.

8 Amanda Jean McCarley,

9 Defendant

10 Defendant Amanda McCarley initiated eight separate lawsuits against defendants Bolero
11 Apartments, Viking Villas, LLC, Stout Insurance Company, LLC, and Stout Management
12 Company, LLC. Because the cases involved common questions of law and facts, the district
13 judges and magistrate judges assigned to these cases determined that consolidation under
14 Federal Rule of Civil Procedure 42(a) was appropriate. Order, ECF No. 5 in *McCarley v. Stout*
15 *Insurance Company, LLC, et al.*, Case no. 2:24-cv-01697-CDS-MDC". Seven of McCarley's cases were
16 consolidated.¹ *Id.* McCarley's eighth suit is an eviction action that was initiated by Bolero against
17 McCarley in Las Vegas Justice Court. ECF No. 1-1 at 5-9. McCarley removed that action to this
18 court on September 19, 2024. ECF No. 1.

19 This court is ultimately one of limited jurisdiction. "Federal courts are courts of limited
20 jurisdiction, possessing 'only that power authorized by Constitution and statute.'" *See* U.S.
21 *Const. art. III, § 2, cl. 1; Gunn v. Minton*, 568 U.S. 251, 256 (2013) (quoting *Kokkonen v. Guardian Life*
22 *Ins. Co. of Am.*, 511 U.S. 375, 377 (1994)). It is unclear at this stage whether or how this court has
23 subject-matter jurisdiction over McCarley's apparent landlord-tenant dispute because matters
24 of landlord-tenant law arise under state law. *See, e.g., Los Cabos I v. Ross*, 2016 U.S. Dist. LEXIS
25 182962, 2016 WL 8114129, at *2 (D. Nev. Oct. 14, 2016) (explaining that the Court lacked

26 ¹ Case Nos. 2:24-cv-01693-MDC; 2:24-cv-01698-JAD-NJK; 2:24-cv-01706-CDS-MDC; 2:24-cv-01707-
GMN-NJK; 2:24-cv-01710-JAD-MDC; and 2:24-cv-01722-JAD-BNW, were consolidated with Case No.
2:24-cv-01697-CDS-MDC, serving as the lead case.

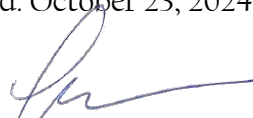
1 jurisdiction over alleged eviction-related due process violations “[b]ecause landlord-tenant
2 disputes are matters of state law they cannot form the basis for federal question jurisdiction.”);
3 *see also Evans v. Sentry Prop. Mgmt. Corp.*, 852 F. Supp. 71, 72 (D. Mass. 1994) (granting defendants
4 motion to remand because “plaintiff’s [c]omplaint is based solely on alleged violations of state
5 landlord/tenant law.”) “If the court determines at any time that it lacks subject-matter
6 jurisdiction, the court must dismiss the action.” Fed. R. Civ. P. 12(h)(3).

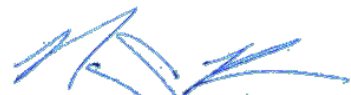
7 Further, although magistrate judges may hear and determine any pretrial matter before
8 the court, dispositive matters are reserved for district judges. 28 U.S.C. § 636(b)(1)(A). Because
9 subject-matter jurisdiction over McCarley’s landlord-tenant dispute must be established, which
10 may ultimately be dispositive, in the exercise of my discretion, this action is transfer and
11 reassigned.

12 **Conclusion**

13 IT IS THEREFORE ORDERED, in the exercise of my discretion, that Case No. 2:24-cv-
14 001761-NJK is transferred and reassigned to District Judge Cristina D. Silva and Magistrate
15 Judge Maximiliano D. Couvillier, III.

16 Dated: October 23, 2024

17 
18 _____
19 Cristina D. Silva
United States District Judge

20 
21 _____
22 Nancy J. Koppe
United States Magistrate Judge

23 
24 _____
25 Maximiliano D. Couvillier, III
26 United States Magistrate Judge