

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JOSEPH AMAZIAH TRENTON,

Plaintiff,

v.

No. 1:20-cv-00430-MV-LF

CARLOS MOTORS, INC., et al.

Defendants.

MEMORANDUM OPINION AND ORDER OF DISMISSAL

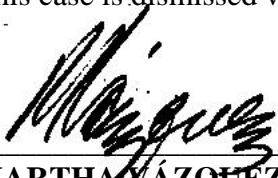
THIS MATTER comes before the Court on *pro se* Plaintiff's failure to timely comply with the Court's Order granting Plaintiff leave to file an amended complaint. *See* Doc. 6, filed June 8, 2020.

The Complaint

This case arises from Plaintiff's purchase of a vehicle from Defendant Carlos Motors and the rental of tires and rims from Defendant Rent a Wheel/Rent a Tire. After Plaintiff experienced mechanical problems with the vehicle, Defendant Carlos Motors repossessed the vehicle including the rented tires and rims. Defendant Rent a Wheel/Rent a Tire told Plaintiff that they would have him arrested if he did not return the tires and wheels. In his Complaint, Plaintiff asserted claims pursuant to the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*, and the Fair Debt Collection Act, 15 U.S.C. § 1692-1692p. Plaintiff also asserted state-law claims, alleging that the Court has diversity jurisdiction over this matter and that his alleged damages exceed \$75,000. *See* 28 U.S.C. § 1332(a) ("The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000").

In its previous Order, the Court explained to Plaintiff that the Complaint failed to state a claim pursuant to the Fair Credit Reporting Act and the Fair Debt Collection Act. The Court notified Plaintiff that while his asserted damages exceed \$75,000, that amount includes damages resulting from alleged violations of the Fair Credit Reporting Act and the Fair Debt Collections Act. The Court granted Plaintiff leave to file an amended complaint and directed Plaintiff to indicate the amount in controversy for each federal and state-law claim asserted in the amended complaint. *See State Farm Mut. Auto. Ins. Co. v. Narvaez*, 149 F.3d 1269, 1272 (10th Cir.1998) (“Although allegations in the complaint need not be specific or technical in nature, sufficient facts must be alleged to convince the district court that recoverable damages will bear a reasonable relation to the minimum jurisdictional floor.”). The Court also notified Plaintiff that failure to timely file an amended complaint may result in dismissal of this case. Plaintiff did not file an amended complaint by the June 29, 2020, deadline.

IT IS THEREFORE ORDERED that this case is dismissed without prejudice.



MARTHA AZQUEZ
UNITED STATES DISTRICT JUDGE