

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**UNITED STATES OF AMERICA,  
Plaintiff,**

v.

**JOHN ALLEN,  
Defendant.**

**Case No. 2:09-CV-852  
JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Norah McCann King**

**OPINION AND ORDER**

This matter is before the Court on Defendant's Motion to Dismiss for Lack of Jurisdiction (Doc. No. 63), in which Defendant referring to himself as "John Dale" asks the Court to dismiss this action against him. Petitioner the United States opposes the motion (Doc. No. 64), arguing that the Court thoroughly addressed the issues that are raised in it, particularly that Defendant is a citizen in the "private venue" and the Petitioner is a federal corporation within the definition of 28 U.S.C. §3002(15)(A), in its Report and Recommendation (Doc. No. 20) which was adopted in its entirety on June 10, 2010 (Doc. No. 32). The government's arguments are well taken.

This Court has already considered any coherent argument made by Defendant in his current motion and found that it has jurisdiction over this matter. Accordingly, the Court **DENIES** Defendant's motion. (Doc. No. 63.)

**IT IS SO ORDERED.**

**DATE**

12-4-2011

  
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**EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE**