

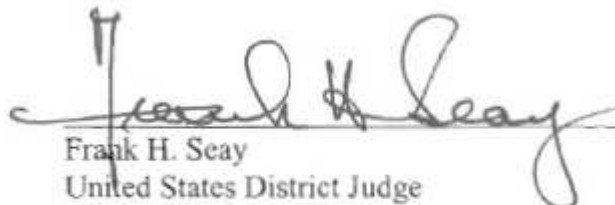
**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

CHARLES DAVID MCCUTCHEON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. CIV-12-125-FHS
	)	
WILLIAM ORAN CECIL, DURANT FLEA	)	
MARKET, L.L.C., an Oklahoma	)	
Limited Liability Company; and	)	
OBC, Inc., an Oklahoma	)	
Corporation,	)	
	)	
Defendants.	)	

**ORDER**

On March 20, 2012, this action was removed from the District Court of Bryan County, Oklahoma, pursuant to 28 U.S.C. § 1332 on the basis of diversity jurisdiction. Following removal, Plaintiff filed an Amended Complaint on September 24, 2012, adding non-diverse Defendants, Durant Flea Market, L.L.C. and OBC, Inc. With the addition of these non-diverse defendants, this Court no longer has subject matter jurisdiction over Plaintiff's claims on the basis of diversity jurisdiction. The Amended Complaint also does not set forth any other basis for this Court's exercise of subject matter jurisdiction in this matter. Consequently, this Court lacks subject matter jurisdiction and this action is ordered remanded to the District Court of Bryan County, Oklahoma. See 28 U.S.C. § 1447(e).

It is so ordered this 4<sup>th</sup> day of October, 2012.

  
Frank H. Seay  
United States District Judge  
Eastern District of Oklahoma