

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

BUCKHORN CATTLE COMPANY,)	
an Oklahoma General Partnership, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. CIV-14-1212-D
)	
ROBERT LEE WILLIAMS, JR., <i>et al.</i> ,)	
)	
Defendants.)	

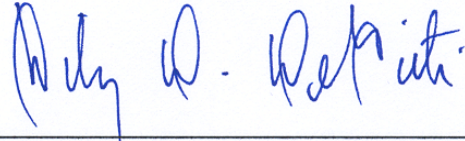
ORDER

The Court has reviewed the Notice of Removal and finds insufficient allegations to establish the existence of subject matter jurisdiction under 28 U.S.C. § 1332, as asserted by Defendants.¹ See Notice of Removal [Doc. No. 1], ¶ 6. Specifically, Defendants fail to provide necessary facts regarding the citizenship of Plaintiff Buckhorn Cattle Company, which is alleged to be a general partnership. The citizenship of a partnership is the citizenship of all partners. *Carden v. Arkoma Assoc.*, 494 U.S. 185, 195-96 (1990). The pleadings in this case neither identify Buckhorn Cattle Company’s partners nor allege their citizenship. Thus, no factual basis for diversity jurisdiction is shown.

¹ The Court has “an independent obligation to determine whether subject-matter jurisdiction exists” and may raise the issue *sua sponte* at any time. *Image Software, Inc. v. Reynolds & Reynolds Co.*, 459 F.3d 1044, 1048 (10th Cir. 2006).

IT IS THEREFORE ORDERED that Defendants shall file an amended Notice of Removal to allege the existence of diversity jurisdiction within 7 days from the date of this Order.²

IT IS SO ORDERED this 7th day of November, 2014.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE

² Defendants need not re-file the exhibits attached to the Notice of Removal but may incorporate them by reference pursuant to Fed. R. Civ. P. 10(c).