

1332. Plaintiff's complaint mentions the Americans with Disabilities Act ("ADA") 42 U.S.C. § 12201 et seq., but does not assert any factual allegations suggestive that ADA applies to his claim. Plaintiff also refers to the Eighth Amendment's excessive clause that applies to governmental actors, not private actor, as the Defendant. Assuming the parties are diverse, Plaintiff's claims present contractual dispute with his bank involving \$247. For diversity jurisdiction, Plaintiff bears the burden that amount in controversy exceeds \$75,000. Everett v. Verizon Wireless, Inc., 460 F.3d 818, 822 (6th Cir. 2006). The Court concludes that Plaintiff's complaint does not present a controversy exceeding \$75,000, as required by 28 U.S.C. § 1332 notwithstanding his request for damages of \$2 million dollars from unnamed parties. The Court concludes that the Court lacks jurisdiction over Plaintiff's claim.

Accordingly, this action is hereby **DISMISSED** for lack of subject matter jurisdiction. Rule 12(h)(3), Fed. R. Civ. P., without prejudice to any state law claims.

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the 27th day of September, 2012.



WILLIAM J. HAYNES, JR.
Chief United States District Judge