



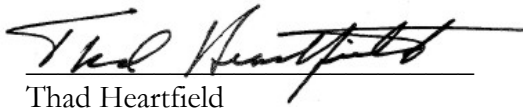
Unless otherwise provided by statute, federal court jurisdiction requires: (1) complete diversity of citizenship between adverse parties and at least \$75,000 at issue, *see* 28 U.S.C. § 1332; *Owens Equipment and Erection Co. v. Kroger*, 437 U.S. 365, 373 (1978), or (2) a federal law nexus, *see* 28 U.S.C. § 1331; *Merrell Dow Pharm. v. Thompson*, 478 U.S. 804, 808 (1986); *Frank v. Bear Stearns & Co.*, 128 F.3d 919, 922 (5th Cir. 1997). Complete diversity means that a federal court may not exercise diversity jurisdiction if the plaintiff is a domiciliary of the same state as any one of the defendants. *Menendez v. Wal-Mart Stores, Inc.*, 364 F. App'x 62, 65 (5th Cir. 2010). If neither of these requirements are met, federal courts, with limited jurisdiction, do not have authority to hear the matter and must dismiss it for adjudication in the proper tribunal. *Byers v. McAuley*, 149 U.S. 608, 618 (1893) (“The jurisdiction of the federal courts is a limited one, depending upon either the existence of a federal question or diverse citizenship of the parties. Where these elements are wanting, it cannot proceed, even with the consent of the parties.”) .

Plaintiff has not identified a federal statute which he is seeking to proceed under. This lawsuit does not appear to have a federal law nexus. In addition, plaintiff and the defendant both appear to be citizens of the State of Texas. Complete diversity therefore does not exist in this matter. As this case does not present a federal question and there is not complete diversity, the court must dismiss this case without prejudice for lack of subject-matter jurisdiction.

#### Conclusion

For the reasons set forth above, the court lacks jurisdiction over this matter. An appropriate final judgment shall be entered.

**SIGNED** this the 4 day of **May, 2020**.

  
Thad Heartfield  
United States District Judge