

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FREDERICK HALL,  
Plaintiff,

v.

EVANSTON BOARD OF  
EDUCATION, et al.,  
Defendants.

CASE NO. C17-320 RAJ  
ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte*. The Court may raise the issue of subject matter jurisdiction *sua sponte* at any time during an action. *Allstate Indem. Co. v. Pacheco*, No. 3:14-cv-05366-KLS, 2014 U.S. Dist. LEXIS 150069, \*11 (W.D. Wash. 2014); Fed. R. Civ. Proc. 12(h)(3) (“If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.”); 28 U.S.C. § 1447(c) (“If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.”). Absent jurisdiction, any determination on the merits would be void. *Watts v. Pickney*, 752 F.2d 406, 409 (9th Cir. 1985). Federal courts’ jurisdiction is limited to cases or controversies that arise under federal laws or are

1 between diverse citizens where the matter in controversy exceeds \$75,000. 28 U.S.C. §§  
2 1331,1332.

3 Plaintiff is suing the City of Evanston, Illinois, the Evanston Board of Education,  
4 and the Rittenburg family. Dkt. # 1. Each Defendant appears to reside in Illinois.  
5 Moreover, it appears that the actions giving rise to this Complaint occurred in Illinois. *Id.*  
6 It is not clear to the Court how it could exercise subject-matter or personal jurisdiction  
7 over any of the Defendants or allegations, nor is it clear how venue is proper in the  
8 Western District of Washington. *See Shute v. Carnival Cruise Lines*, 113 Wn. 2d 763,  
9 771, 783 P.2d 78 (1989) (Washington’s long-arm statute “extends jurisdiction to the limit  
10 of federal due process.”); *Int’l Shoe Co. v. Washington*, 326 U.S. 310, 316 (1945) (The  
11 due process clause grants the court jurisdiction over defendants who have “certain  
12 minimum contacts . . . such that maintenance of the suit does not offend ‘traditional  
13 notions of fair play and substantial justice.’”); *see also* 28 U.S.C. § 1406(a) (“The district  
14 court of a district in which is filed a case laying venue in the wrong division or district  
15 shall dismiss . . . .”); 28 U.S.C. § 1391.

16 Accordingly, the Court orders Plaintiff to show cause why this case should not be  
17 dismissed for lack of jurisdiction and improper venue. Plaintiff shall file a written  
18 response, not to exceed five (5) pages, no later than seven (7) days from the date of this  
19 Order. Failure to file a response will result in dismissal of the action.

20 Dated this 22nd day of March, 2017.

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24 The Honorable Richard A. Jones  
25 United States District Judge  
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