

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

RENWICK CALDWELL, SR. ,

Plaintiff,

v.

Case No: 6:19-cv-272-Orl-31DCI

**COMBE INCORPORATED, COMBE
PRODUCTS, INC., COMBE
LABORATORIES, INC. and COMBE
INTERNATIONAL LLC,**

Defendants.

ORDER

Renwick Caldwell brings this products liability action against four defendants. In the Complaint, Caldwell asserts that this Court possesses subject matter jurisdiction pursuant to 28 U.S.C. § 1332 based on diversity of citizenship. (Doc. 1 at 4). However, upon *sua sponte* review, the Court finds that Caldwell has failed to adequately allege diversity of citizenship. Specifically, Caldwell has failed to adequately allege the citizenship of Defendant Combe International LLC. For purposes of diversity jurisdiction, a limited liability company is a citizen of any state of which a member of the company is a citizen. *Rolling Greens MHP, LLC v. Comcast SCH Holdings LLC*, 374 F.3d 1020, 1022 (11th Cir. 2004). Caldwell has alleged the state of incorporation and the principal place of business of Combe International LLC but has failed to provide any information as to the citizenship of its members. (Doc. 1 at 3).

Repleading is required to cure Caldwell's deficient allegation of subject matter jurisdiction. Accordingly, it is hereby

ORDERED that the Complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**.

And it is further

ORDERED that on or before March 8, 2019, Caldwell may file an amended complaint that properly sets forth a basis for this court's subject matter jurisdiction. Failure to timely file an amended complaint that cures the deficiencies noted in this order may result in closure of this case without further notice.

DONE and **ORDERED** in Chambers, Orlando, Florida on February 25, 2019.




GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE