

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

DAVEY RENFRO,

Plaintiff,

vs.

Case No. 05-1100-JTM

GIANT FOOD STORES, L.L.C.,

Defendant.

MEMORANDUM AND ORDER

This is a personal injury action filed by plaintiff Davey Renfro, alleging injury at a warehouse operated by the defendant Giant of Maryland, L.L.C. The matter is before the court on the defendant Giant's Motion to Dismiss. Giant contends that this court is without jurisdiction to hear Renfro's claims against it. Plaintiff Renfro has filed no response to Giant's motion.

According to the uncontested facts, Giant is a Maryland corporation with its principal place of business in Landover, Prince George's County, Maryland, and is in the business of operating grocery stores and pharmacies. It owns and operates grocery stores and pharmacies located in Maryland, Virginia, the District of Columbia, Delaware or New Jersey. Plaintiff alleges that he was injured in a Giant warehouse in Jessup, Howard County, Maryland.

Giant was not served in Kansas, but rather was served via its registered agent in Baltimore,

Maryland. Giant does not maintain a registered agent in Kansas, does not maintain a place of business in Kansas, nor does it own or operate a business in Kansas. It does not maintain offices in the State of Kansas.

For good cause shown and pursuant to D.Kan.Rule 7.4, the court finds that personal jurisdiction against defendant cannot be sustained under K.S.A. § 60-308(b), and venue is Kansas is inappropriate under 28 U.S.C. § 1391(a)(2), and that accordingly the present action should be dismissed for lack of jurisdiction.

IT IS ACCORDINGLY ORDERED this 11<sup>th</sup> day of October, 2005, that the defendant's Motion to Dismiss (Dkt. No. 6) is hereby granted.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE