

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

MADELINE S. EWING

*Plaintiff,*

v.

JACKIE SURROGUE,

*Defendant.*

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Case No.: 14-2098-EFM

MEMORANDUM AND ORDER

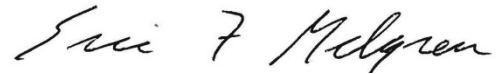
Pro se plaintiff seeks to commence and proceed with her case without prepayment of fees pursuant to 28 U.S.C. § 1915. The United States Magistrate Judge has filed a Report and Recommendation recommending that the motion be denied, and the case dismissed for lack of jurisdiction, noting that the case was filed under claim of diversity jurisdiction even though both plaintiff and defendant are alleged to be citizens of Missouri. Plaintiff has filed an objection to the Report and Recommendation, pleading both the merits of her claims for justice, and averring that the events took place in Kansas City, Kansas. The later, the Court assumes, is designed to address the jurisdictional deficiencies of a case brought claiming diversity jurisdiction when both parties are from the same state.

Diversity jurisdiction does not concern itself with the location of the events at issue. Such location is relevant to certain matters, but not to the existence of diversity jurisdiction. That concept relates only to the parties residence, or citizenship, among the various states. Because the parties here are both citizens of Missouri, their citizenship is not diverse. The Court therefore lacks jurisdiction to hear this case.

**IT IS THEREFORE ORDERED**, that the Report and Recommendation (Doc. 4) is **ADOPTED**, and this case therefore **DISMISSED** for lack of jurisdiction.

**IT IS SO ORDERED.**

Dated this 12th day of March, 2014.

A handwritten signature in cursive script, reading "Eric F. Melgren".

ERIC F. MELGREN  
UNITED STATES DISTRICT JUDGE