

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 24-7072

September Term, 2024

1:23-cv-02666-UNA

Filed On: October 15, 2024

Derrick Allen,

Appellant

v.

Hassan Hammoude,

Appellee

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Millett, Pillard, and Pan, Circuit Judges

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court’s order dated April 5, 2024, be affirmed. The district court properly dismissed the case without prejudice on the ground that the complaint failed to allege facts sufficient to establish the court’s subject matter jurisdiction over the case. See Fed. R. Civ. P. 8(a)(1); Fed. R. Civ. P. 12(h)(3). Appellant’s amended complaint sought to allege diversity jurisdiction pursuant to 28 U.S.C. § 1332. A “party seeking the exercise of diversity jurisdiction bears the burden of pleading the citizenship of each and every party to the action,” Novak v. Cap. Mgmt. & Dev. Corp., 452 F.3d 902, 906 (D.C. Cir. 2006), and the district court correctly concluded that appellant failed to satisfy that burden. Furthermore, the district court correctly concluded that it appeared “to a legal certainty” that appellant’s claim was “really for less than the jurisdictional amount.” Bronner on Behalf of Am. Studies Ass’n v. Duggan, 962 F.3d 596, 612 (D.C. Cir. 2020).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution

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of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: */s/*
Daniel J. Reidy
Deputy Clerk