

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Andreanna Elize, individually and as the limited administrator of the Estate of Carlos Elize, deceased, and Antonio Elize, individually and as the limited administrator of the Estate of Carlos Elize, deceased v. Valu Auto, LLC; Lineage, Inc.; Lineage Logistics Services, PFS, LLC; Lineage Food Service Solutions, LLC; Lineage Logistics Holdings, LLC; Bay Grove Capital, Inc.; BG Lineage Holdings, LLC; and Fritz C. Patrick

Elize · No. 3:26-cv-00550 (BKS/MJK) · Decided April 23, 2026

SUMMARY

The United States District Court for the Northern District of New York directs Plaintiffs to show cause why their state-law action should not be dismissed for lack of subject-matter jurisdiction. The Court concludes that the complaint insufficiently alleges the citizenship of the members of several defendant limited liability companies for purposes of diversity jurisdiction and orders Plaintiffs to file a supporting memorandum and evidence by May 14, 2026.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Brenda K. Sannes
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	April 23, 2026
DOCKET	3:26-cv-00550 (BKS/MJK)
DISPOSITION	other
PROCEDURAL POSTURE	The plaintiffs filed state-law claims invoking diversity jurisdiction under 28 U.S.C. § 1332. The district court sua sponte issued an order to show cause because the complaint did not adequately allege the citizenship of the members of several defendant limited liability companies.
STANDARD OF REVIEW	Subject-matter jurisdiction may be raised sua sponte at any stage of the proceedings; the party invoking diversity jurisdiction bears the

	burden of establishing complete diversity.
PRECEDENTIAL VALUE	unknown
PARTIES	Andreanna Elize, individually and as the limited administrator of the Estate of Carlos Elize, deceased, Antonio Elize, individually and as the limited administrator of the Estate of Carlos Elize, deceased v. Valu Auto, LLC, Lineage, Inc., Lineage Logistics Services, PFS, LLC, Lineage Food Service Solutions, LLC, Lineage Logistics Holdings, LLC, Bay Grove Capital, Inc., BG Lineage Holdings, LLC, Fritz C. Patrick

TOPICS

subject matter jurisdiction pleadings civil procedure federalism

PRACTICE AREAS

civil procedure federal jurisdiction

QUESTIONS PRESENTED

1. Whether the complaint adequately alleged complete diversity of citizenship to establish subject-matter jurisdiction under 28 U.S.C. § 1332.
2. Whether the citizenship of a limited liability company is determined by the citizenship of each of its members.
3. Whether the court should require plaintiffs to show cause and submit evidence concerning the citizenship of the LLC defendants before dismissing the action.

HOLDINGS

1. For purposes of diversity jurisdiction, a limited liability company takes the citizenship of each of its members.
2. The complaint's allegations were insufficient to establish complete diversity because they did not allege the citizenship of the members of five defendant LLCs.
3. A federal court may raise the issue of subject-matter jurisdiction sua sponte at any stage of the proceedings.

KEY QUOTATIONS

“[I]n our federal system of limited jurisdiction . . . the court sua sponte, at any stage of the proceedings, may raise the question of whether the court has subject matter jurisdiction.”

“[A] limited liability company . . . takes the citizenship of each of its members.”

FACTUAL BACKGROUND

Plaintiffs asserted state-law claims against several corporate and individual defendants and alleged that the amount in controversy exceeded \$75,000. The complaint identified the states of organization and principal places of business of five LLC defendants but did not allege the citizenship of any of their members, preventing the court from determining whether complete diversity existed.

PROCEDURAL HISTORY

The action was filed in the United States District Court for the Northern District of New York. Although the complaint alleged an amount in controversy exceeding \$75,000 and identified the states of organization and principal places of business of several LLC defendants, it did not allege the citizenship of their members. The court ordered plaintiffs to file a memorandum and supporting evidence by May 14, 2026, explaining why the action should not be dismissed for lack of subject-matter jurisdiction.

DISPOSITION

other

CASES CITED

- St. Paul Fire & Marine Ins. Co. v. Universal Builders Supply, 409 F.3d 73, 80 (2d Cir. 2005)
- United Food & Com. Workers Union, Local 919 v. CenterMark Props. Meriden Square, Inc., 30 F.3d 298, 301 (2d Cir. 1994)
- Manway Constr. Co. v. Housing Auth. of Harford, 711 F.2d 501, 503 (2d Cir. 1983)
- Durant, Nichols, Houston, Hodgson & Cortese-Costa P.C. v. Dupont, 565 F.3d 56, 62 (2d Cir. 2009)
- Owen Equip. & Erection Co. v. Kroger, 437 U.S. 365, 374 (1978)
- Braten v. Kaplan, 406 F. App'x 516, 517 (2d Cir. 2011)
- Bayerische Landesbank, N.Y. Branch v. Aladdin Cap. Mgmt. LLC, 692 F.3d 42, 49 (2d Cir. 2012)
- Cosgrove v. Bartolotta, 150 F.3d 729, 731 (7th Cir. 1998)
- ICON MW, LLC v. Hofmeister, 950 F. Supp. 2d 544, 546 (S.D.N.Y. 2013)
- Long Beach Rd. Holdings, LLC v. Foremost Ins. Co., 75 F. Supp. 3d 575, 584 (E.D.N.Y. 2015)

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