

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Gary Long v. Nissan North America, Inc., et al.

No. 5:26-cv-00185-FLA (ASx), United States District Court for the Central District of California (January 28, 2026)

SUMMARY

The United States District Court for the Central District of California issued an order to show cause questioning whether it has subject matter jurisdiction over a removed Magnuson-Moss Warranty Act action. The court concluded that the Notice of Removal did not demonstrate by a preponderance of the evidence that the amount in controversy exceeds the \$50,000 jurisdictional threshold. The parties were ordered to submit written responses within fourteen days, with a warning that the action would be remanded if the defendant failed to respond adequately and timely.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fernando L. Aenlle-Rocha
JURISDICTION	United States District Court for the Central District of California
DECIDED	January 28, 2026
DOCKET	5:26-cv-00185-FLA (ASx)
DISPOSITION	other
PROCEDURAL POSTURE	After defendants removed the action from state court, the district court sua sponte questioned whether federal subject matter jurisdiction existed and ordered the parties to show cause why the action should not be remanded.
STANDARD OF REVIEW	The court independently examines subject matter jurisdiction sua sponte. When the plaintiff contests or the court questions the amount-in-controversy allegation, the removing defendant must prove the jurisdictional amount by a preponderance of the evidence.
PRECEDENTIAL VALUE	Unknown; interlocutory district court order

TOPICS

- subject matter jurisdiction
- civil procedure

PRACTICE AREAS

federal jurisdiction

removal and remand

consumer protection

civil procedure

QUESTIONS PRESENTED

1. Whether the Notice of Removal plausibly and factually established federal subject matter jurisdiction.
2. Whether defendants demonstrated by a preponderance of the evidence that the amount in controversy exceeded the \$50,000 threshold applicable to the Magnuson-Moss Warranty Act claim.
3. Whether the action should be remanded for lack of subject matter jurisdiction.

HOLDINGS

1. A federal district court must examine its subject matter jurisdiction sua sponte before proceeding to the merits and may require proof supporting the asserted basis for federal jurisdiction.
2. A Magnuson-Moss Warranty Act claim does not trigger federal question jurisdiction unless the amount in controversy is at least \$50,000, exclusive of interest and costs; when the amount is questioned, the removing defendant must prove that threshold by a preponderance of the evidence.
3. The present record did not establish federal subject matter jurisdiction sufficiently to permit the court to proceed without further submissions, so the parties were ordered to show cause why the action should not be remanded.

KEY QUOTATIONS

“Courts are presumed to lack jurisdiction unless the contrary appears affirmatively from the record.” (at 1)

“federal jurisdiction must be rejected if there is any doubt as to the right of removal in the first instance.” (at 1)

FACTUAL BACKGROUND

Defendants removed an action involving claims apparently asserted under the Magnuson-Moss Warranty Act. The Notice of Removal did not, in the court's present assessment, demonstrate by a preponderance of the evidence that the amount in controversy exceeded \$50,000. The court therefore questioned whether federal subject matter jurisdiction existed.

PROCEDURAL HISTORY

Defendants removed the action to the Central District of California. The court reviewed the Notice of Removal and found that it was presently unable to conclude that subject matter jurisdiction existed because defendants had not demonstrated by a preponderance of the evidence that the amount in controversy exceeded the applicable threshold. The court ordered written responses within fourteen days and warned that an untimely or inadequate response by defendants would result in remand without further notice.

DISPOSITION

other

REMAND INSTRUCTIONS

The parties must file written responses within fourteen days of the January 28, 2026 order explaining why the action should not be remanded for lack of subject matter jurisdiction. Responses may include evidence and judicially noticeable facts, are limited to ten pages, and must address both the facial and factual sufficiency of defendants' jurisdictional showing. Defendants' failure to respond timely and adequately will result in remand without further notice.

CASES CITED

- Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 377 (1994)
- DaimlerChrysler Corp. v. Cuno, 547 U.S. 332, 342 n. 3 (2006)
- Ruhrgas AG v. Marathon Oil Co., 526 U.S. 574, 583 (1999)
- Khachatryan v. BMW of N. Am., LLC, Case No. 2:21-cv-01290-PA (PDx), 2021 WL 927266, at *2 (C.D. Cal. Mar. 10, 2021)
- Gaus v. Miles, Inc., 980 F.2d 564, 566 (9th Cir. 1992)
- Dart Cherokee Basin Operating Co. v. Owens, 574 U.S. 81, 88-89 (2014)
- Leite v. Crane Co., 749 F.3d 1117, 1122 (9th Cir. 2014)