

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Xiangbin Long v. Wells Fargo Bank, N.A.

Long v. Wells Fargo Bank, N.A. · No. 2:24-cv-02402 CV (KESx) · Decided July 7, 2025

SUMMARY

The United States District Court for the Central District of California ordered the parties to show cause why the action should not be dismissed without prejudice for lack of subject matter jurisdiction. The court concluded that the First Amended Complaint did not adequately establish diversity jurisdiction or federal-question jurisdiction.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Cynthia Valenzuela
JURISDICTION	United States District Court for the Central District of California
DECIDED	July 7, 2025
DOCKET	2:24-cv-02402 CV (KESx)
DISPOSITION	other
PROCEDURAL POSTURE	The district court, acting sua sponte, ordered Plaintiff to show cause in writing why the action should not be dismissed without prejudice for lack of subject matter jurisdiction.
STANDARD OF REVIEW	The court independently examined subject matter jurisdiction sua sponte; federal courts are presumed to lack jurisdiction unless jurisdiction affirmatively appears from the record.
PRECEDENTIAL VALUE	unknown
PARTIES	Xiangbin Long v. Wells Fargo Bank, N.A., et al.

TOPICS

- subject matter jurisdiction
- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- federal jurisdiction

QUESTIONS PRESENTED

1. Whether the First Amended Complaint adequately established diversity jurisdiction under 28 U.S.C. § 1332(a)(1).
2. Whether the First Amended Complaint established federal-question jurisdiction under 28 U.S.C. § 1331.
3. Whether the action should be dismissed without prejudice 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.
2. The First Amended Complaint did not establish either diversity jurisdiction or federal-question jurisdiction.
3. If the court determines that subject matter jurisdiction is absent in this non-removal action, dismissal without prejudice is appropriate.

KEY QUOTATIONS

“Federal courts are courts of “limited jurisdiction,” possessing “only that power authorized by the Constitution and statute[.]”” (at 1)

“Additionally, federal courts have an obligation to examine jurisdiction sua sponte before proceeding to the merits of a case.” (at 1)

“The amount in controversy is not “facially evident” from the pleading, and “[c]onclusory allegations as to the amount in controversy are insufficient.”” (at 1)

FACTUAL BACKGROUND

Plaintiff's First Amended Complaint asserted two claims based on California law against Wells Fargo Bank, N.A., and other defendants. The complaint did not allege that the amount in controversy exceeded \$75,000, and the amount was not facially evident from the pleading. The court therefore found that the complaint did not establish diversity or federal-question jurisdiction.

PROCEDURAL HISTORY

Plaintiff filed a First Amended Complaint asserting two claims under California law. The court concluded that the complaint did not adequately establish diversity jurisdiction because it did not allege an amount in controversy exceeding \$75,000 and that federal-question jurisdiction was not apparent because the claims arose under state law. The court ordered a written response within fourteen days before determining whether dismissal was warranted.

DISPOSITION

other

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)
- Wasson v. Brown, 316 F. App'x 663, 664 (9th Cir. 2009)
- Parker v. Ebay, No. CV 24-1863-JFW (JCx), 2024 WL 1484598, at *2 (C.D. Cal. Apr. 5, 2024)
- Matheson v. Progressive Specialty Ins. Co., 319 F.3d 1089, 1090-91 (9th Cir. 2003)

OPINION

Xiangbin Long v. Wells Fargo Bank, N.A.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10 11 XIANGBIN LONG, Case No. 2:24-cv-02402 CV (KESx) 12 Plaintiffs, ORDER TO SHOW
CAUSE WHY

THIS ACTION SHOULD NOT BE

13 v. DISMISSED WITHOUT

WELLS FARGO BANK, N.A., et al. PREJUDICE FOR LACK OF

14 SUBJECT MATTER JURISDICTION

15 Defendants. 16

17 18 Federal courts are courts of “limited jurisdiction,” possessing “only that power 19
authorized by the Constitution and statute[.]” Kokkonen v. Guardian Life Ins. Co. of Am., 20 511
U.S. 375, 377 (1994); U.S. Const. art. III, § 2, cl. 1. District courts are presumed to 21 lack
jurisdiction unless the contrary appears affirmatively from the record. See 22 DaimlerChrysler
Corp. v. Cuno, 547 U.S. 332, 342 n. 3 (2006). Additionally, federal 23 courts have an obligation to
examine jurisdiction sua sponte before proceeding to the 24 merits of a case. See Ruhrgas AG v.
Marathon Oil Co., 526 U.S. 574, 583 (1999). When 25 a district court determines that there is no
subject matter jurisdiction in a non-removal 26 case, dismissal without prejudice is appropriate.
See Wasson v. Brown, 316 F. App'x 663, 27 664 (9th Cir. 2009); Parker v. Ebay, No. CV 24-1863-
JFW (JCx), 2024 WL 1484598, at 28 *2 (C.D. Cal. Apr. 5, 2024). Plaintiff Xiangbin Long’s
 (“Plaintiff”) First Amended Complaint (Doc. # 33, 2 ||“FAC”) does not establish jurisdiction based
on diversity of citizenship. “The district 3 ||courts shall have original jurisdiction of all civil
actions where the matter in controversy 4 exceeds the sum or value of \$75,000, exclusive of
interest and costs, and is between — 5 || citizens of different States[.]” 28 U.S.C. § 1332(a)(1).
Plaintiff has not alleged that the 6 ||amount in controversy exceeds the sum or value of \$75,000,
exclusive of interests and 7 ||costs. The amount in controversy is not “facially evident” from the
pleading, and 8 || “[c]onclusory allegations as to the amount in controversy are insufficient.”

Matheson v. 9 || Progressive Specialty Ins. Co., 319 F.3d 1089, 1090-91 (9th Cir. 2003). Nor can
Plaintiff 10 || establish jurisdiction based on a federal question, as the FAC includes only two
claims, 11 based on California law. See 28 U.S.C. § 1331 (“The district courts shall have 12 ||
original jurisdiction of all civil actions arising under the Constitution, laws, or treatises of 13
United States.”). 14 Accordingly, the parties are ORDERED TO SHOW CAUSE, in writing only,
15 || within fourteen (14) days from the date of this Order, why this action should not be 16 ||
dismissed without prejudice for lack of subject matter jurisdiction. Responses shall be 17 || limited
to ten (10) pages in length. 18 19 IT IS SO ORDERED. 20 21 ||DATED: 7/7/25 lypatiar, Valeng
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