

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Ahmad Hosseinipour v. Attorney Andrew Neuhauser, et al.

Hosseinipour · No. 5:25-cv-1888 · Decided January 2, 2026

SUMMARY

The United States District Court for the Northern District of Ohio dismissed Ahmad Hosseinipour’s pro se civil action against attorney Andrew Neuhauser and Luis Myrie for lack of subject-matter jurisdiction. The court found no valid basis for federal-question jurisdiction and concluded that diversity jurisdiction was unavailable because the parties were Ohio citizens and the amount in controversy was \$6,000. The court denied the plaintiff’s motion for appointment of counsel as moot and certified that an appeal could not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	Benita Y. Pearson
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	January 2, 2026
DOCKET	5:25-cv-1888
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed an in forma pauperis civil complaint seeking \$6,000. Defendant Neuhauser moved to dismiss under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). The district court dismissed the action for lack of subject-matter jurisdiction and denied Plaintiff’s motion for appointment of counsel as moot.
STANDARD OF REVIEW	The court independently considered subject-matter jurisdiction, including sua sponte, and applied the requirement that an action be dismissed whenever the court determines that subject-matter jurisdiction is lacking.
PRECEDENTIAL VALUE	Unknown; district court memorandum of opinion and order with no reporter or precedential designation identified.

PARTIES

Ahmad Hosseinipour v. Attorney Andrew Neuhauser, Luis Myrie

TOPICS

subject matter jurisdiction

motions to dismiss

pleadings

civil procedure

PRACTICE AREAS

civil procedure

federal jurisdiction

QUESTIONS PRESENTED

1. Whether the complaint established federal-question jurisdiction under 28 U.S.C. § 1331.
2. Whether the complaint established diversity jurisdiction under 28 U.S.C. § 1332.
3. Whether the action had to be dismissed for lack of subject-matter jurisdiction under Federal Rule of Civil Procedure 12(h)(3).

HOLDINGS

1. The complaint did not establish federal-question jurisdiction because it identified no specific provision of the United States Constitution or federal law that supplied a basis for the claim.
2. The complaint did not establish diversity jurisdiction because Plaintiff and Defendants were alleged to be Ohio citizens and the amount sought was only \$6,000, below the \$75,000 jurisdictional threshold.
3. The action had to be dismissed for lack of subject-matter jurisdiction under Federal Rule of Civil Procedure 12(h)(3).

KEY QUOTATIONS

“Federal courts are courts of limited jurisdiction and, even without a motion to dismiss, “have a duty to consider their subject matter jurisdiction in regard to every case and may raise the issue sua sponte.”” (2)

“If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.” (2)

FACTUAL BACKGROUND

Plaintiff, proceeding pro se, alleged that Defendants violated unspecified "federal government law," apparently because Defendant Andrew Neuhauser, a legal-aid attorney, represented Luis Myrie in a case against Plaintiff in the Mahoning County Court of Common Pleas. Plaintiff asserted that a community legal-aid attorney could not have a private client and sought \$6,000 in relief. The complaint and later filings identified no specific federal constitutional provision, statute, or other federal law supporting the action.

PROCEDURAL HISTORY

Hosseinipour filed a complaint against Andrew Neuhauser and Luis Myrie based on Neuhauser's representation of Myrie in ongoing litigation in the Mahoning County Court of Common Pleas. Neuhauser moved to dismiss,

arguing that the complaint identified no federal claim and that federal jurisdiction was unavailable. The district court dismissed under Rule 12(h)(3), denied appointment of counsel as moot, and certified that an appeal could not be taken in good faith.

DISPOSITION

dismissed

CASES CITED

- *Answers in Genesis of Ky., Inc. v. Creation Ministries Int'l, Ltd.*, 556 F.3d 459, 465 (6th Cir. 2009)
- *Mich. S. R.R. Co. v. Branch & St. Joseph Counties Rail Users Ass'n, Inc.*, 287 F.3d 568, 573 (6th Cir. 2002)
- *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 561 (1992)

OPINION

PEARSON, J. UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION AHMAD HOSSEINIPOUR,)) CASE No. 5:25-cv-1888 Plaintiff,)) v.) JUDGE BENITA Y. PEARSON) ATTORNEY ANDREW NEUHAUSER, et al.,) MEMORANDUM OF OPINION) AND ORDER) Defendants.

I. Background Plaintiff Ahamd Hosseinipour, proceeding pro se, filed an in forma pauperis civil complaint against Defendants Andrew Neuhauser and Luis Myrie, seeking \$6,000 in relief. ECF No. 1. Plaintiff's brief complaint alleges that Defendants violated unspecified "federal government law," apparently on the basis that Defendant Neuhauser is a legal aid attorney representing Luis Myrie in a case against Plaintiff in the Mahoning County Court of Common Pleas.

ECF No. 1 at PageID #: 4, ¶ III; ECF No. 1-1. Plaintiff states that a "community legal aid's attorney cannot have a private client." ECF No. 1 at PageID #: 3, ¶ II.B. Defendant Neuhauser filed a Motion to Dismiss the complaint pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure. ECF No. 4. He argues that the Court lacks subject matter jurisdiction and that Plaintiff has failed to state a claim upon which the Court may grant him relief because: (1) Plaintiff fails to set forth any specific federal claim for relief in his complaint; and (2) the abstention doctrine precludes federal courts from exercising jurisdiction over ongoing state-court litigation.

Plaintiff has not filed a brief addressing the specific arguments made in Defendant's Motion to Dismiss, or demonstrating that he alleges a federal claim over which the Court may exercise subject-matter jurisdiction. Instead, he has filed a Motion for Appointment of Counsel (ECF No. 8) and other unclear filings reiterating his contention that Defendant Neuhauser unlawfully represents Mr. Myrie in a Mahoning County case.

See ECF No. 6. II. Standard of Review and Discussion Federal courts are courts of limited jurisdiction and, even without a motion to dismiss, “have a duty to consider their subject matter jurisdiction in regard to every case and may raise the issue sua sponte.” *Answers in Genesis of Ky., Inc. v. Creation Ministries Int’l, Ltd.*, 556 F.3d 459, 465 (6th Cir. 2009). “If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.” Fed.

R. Civ. P. 12(h)(3). There are two basic categories of cases over which federal courts have subject-matter jurisdiction. First, a federal court has federal question jurisdiction, which is jurisdiction over cases that “aris[e] under the Constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331. Federal question jurisdiction exists only when a federal question is presented on the face of the plaintiff’s well-pleaded complaint.

Mich. South. R.R. Co. v. Branch & St. Joseph Counties Rail Users Ass’n, Inc., 287 F.3d 568, 573 (6th Cir. 2002). Second, a federal court has “diversity” jurisdiction, which is jurisdiction over cases “where the matter in controversy exceeds the sum or value of \$75,000... and is between... citizens of different states.” 28 U.S.C. § 1332. A plaintiff bears the burden of establishing subject-matter jurisdiction.

Lujan v. 2 Defenders of Wildlife, 504 U.S. 555, 561 (1992). The Court finds Plaintiff’s complaint must be dismissed for lack of subject-matter jurisdiction. First, Plaintiff has failed to demonstrate a valid basis for an exercise of federal question jurisdiction. Neither the face of Plaintiff’s complaint, nor any of his subsequent filings, identifies or refers to any specific provision of the United States Constitution or other federal law or statute that provides a basis for his lawsuit.

Plaintiff’s unclear and conclusory assertion in his complaint that Defendants have violated “federal government law” is insufficient to demonstrate that he alleges a claim arising under the Constitution, laws, or treaties of the United States.

Second, Plaintiff’s pleadings do not establish a basis for the Court to exercise diversity jurisdiction. The face of Plaintiff’s complaint indicates that he and Defendants are all citizens of the same state (Ohio). Additionally, he seeks \$6000 in damages, which is less than the threshold jurisdictional amount-in-controversy requirement (\$75,000) necessary for an exercise of diversity jurisdiction.

III. Conclusion Accordingly, in that Plaintiff has demonstrated no valid basis of an exercise of federal subject-matter jurisdiction in this case, the action is hereby dismissed pursuant to Fed. R. Civ. P. 12(h)(3). Plaintiff’s Motion for Appointment of Counsel (ECF No. 8) is denied as moot.

The Court further certifies, pursuant to 28 U.S.C. 1915(a)(3), that an appeal from this decision could not be taken in good faith. IT IS SO ORDERED. January 2, 2026 /s/ Benita Y. Pearson Date Benita Y. Pearson 3

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