

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
NORTH CAROLINA

Jarred J. Ford v. Nash County General Hospital, Inc. et al.

Ford · No. 5:23-CV-00197-M-RN · Decided December 11, 2025

SUMMARY

The United States District Court for the Eastern District of North Carolina adopted a magistrate judge’s recommendation concerning subject-matter jurisdiction over state medical malpractice claims. Because the plaintiff failed to allege that the amount in controversy exceeded \$75,000, the court dismissed the amended complaint without prejudice and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of North Carolina
WRITING FOR THE COURT	Richard E. Myers
JURISDICTION	United States District Court for the Eastern District of North Carolina
DECIDED	December 11, 2025
DOCKET	5:23-CV-00197-M-RN
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Memorandum and Recommendation recommending dismissal of the complaint for lack of subject-matter jurisdiction.
STANDARD OF REVIEW	The district court conducts de novo review of portions of a magistrate judge's recommendation to which a specific and timely objection is made; absent a specific and timely objection, the court reviews for clear error.
PRECEDENTIAL VALUE	Unknown
PARTIES	Jarred J. Ford v. Nash County General Hospital, Inc. et al.

TOPICS

- subject matter jurisdiction
- medical malpractice
- civil procedure

PRACTICE AREAS

- civil procedure
- health law
- medical malpractice

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's recommendation that independent diversity jurisdiction was lacking because Plaintiff failed to allege an amount in controversy exceeding \$75,000.
2. What standard of review applies to the magistrate judge's Memorandum and Recommendation in the absence of a specific and timely objection.

HOLDINGS

1. The court held that independent diversity jurisdiction was not established because Plaintiff failed to allege that the amount in controversy exceeded \$75,000, and therefore dismissed the complaint for lack of subject-matter jurisdiction.
2. The court held that, absent a specific and timely objection, it was required to review the recommendation for clear error and, finding none, adopted the recommendation as its own.

FACTUAL BACKGROUND

Plaintiff asserted state-law medical-malpractice claims against Nash County General Hospital, Inc. and other defendants after his federal claims under the Emergency Medical Treatment and Active Labor Act were dismissed. Plaintiff did not allege that the amount in controversy exceeded \$75,000, which was necessary to establish independent diversity jurisdiction over the remaining state-law claims.

PROCEDURAL HISTORY

The court previously dismissed Plaintiff's federal claims under the Emergency Medical Treatment and Active Labor Act and recommitted the matter to the magistrate judge to determine whether independent diversity jurisdiction existed over Plaintiff's state-law medical-malpractice claims. The magistrate judge concluded that diversity jurisdiction was absent because Plaintiff failed to allege that the amount in controversy exceeded \$75,000. After the objection period, the district court found no clear error, adopted the recommendation, dismissed the amended complaint without prejudice, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 271 (1976)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315 (4th Cir. 2005)

OPINION

Ford

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Case No. 5:23-CV-00197-M-RN

JARRED J. FORD,

Plaintiff,

Vv. ORDER

NASH COUNTY GENERAL HOSPITAL,

INC. et al., Defendants. This matter comes before the court on United States Magistrate Judge Robert T. Numbers, II's, Memorandum and Recommendation ("the M&R"). DE 19. This court previously dismissed Plaintiff's federal claims under the Emergency Medical Treatment and Active Labor Act but recommitted the matter to Judge Numbers to answer whether independent diversity jurisdiction exists over Plaintiff's state law medical malpractice claims. Judge Numbers determined that it does not. Because Plaintiff fails to allege that the amount in controversy exceeds \$75,000, Judge Numbers now recommends dismissing Plaintiff's Complaint for this court's lack of subject-matter jurisdiction. A magistrate judge's recommendation carries no presumptive weight. The court "may accept, reject, or modify, in whole or in part, the . . . recommendation| | . . . receive further evidence or recommit the matter to the magistrate judge with instructions." 28 U.S.C. § 636(b)(1); accord ' Judge Numbers issued the M&R on November 13, 2025. Accordingly, objections were due on or before November 30, 2025. DE 19; see also 28 U.S.C. § 636(b)(1); FED. R. Civ. P. 72(b)(2); Local Civil Rule 72.4(b). The M&R was submitted to this court for disposition on December 11, 2025. Mathews v. Weber, 423 U.S. 261, 271 (1976). The court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." Id. § 636(b)(1). Absent a specific and timely objection, the court reviews only for "clear error" and need not give any explanation for adopting the recommendation. Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005). Upon careful review of the M&R and the record presented, and finding no clear error, the court ADOPTS the recommendation of the magistrate judge as its own. For the reasons stated therein, Plaintiff's amended complaint, DE 1, is DISMISSED WITHOUT PREJUDICE. The Clerk of Court is directed to close this case. SO ORDERED this Gs of December, 2025. | LV ews ie

RICHARD FE. MYERS fl

CHIEF UNITED STATES DISTRICT JUDGE