

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Midwest Container & Industrial Supply Co. v. Hub Plastics-Midwest,
LLC

Midwest Container · No. No. 4:26-CV-00001-CMS · Decided March 11, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri granted Plaintiff’s motion to remand an unlawful detainer action to the Jefferson County Circuit Court. The court held that the removing defendant failed to establish by a preponderance of the evidence that the amount in controversy exceeded \$75,000 for diversity jurisdiction. The plaintiff’s binding post-removal stipulation clarified that it would not seek more than the jurisdictional threshold.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
WRITING FOR THE COURT	Cristian M. Stevens
JURISDICTION	United States District Court for the Eastern District of Missouri, Eastern Division
DECIDED	March 11, 2026
DOCKET	No. 4:26-CV-00001-CMS
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendant removed a Missouri unlawful-detainer action to federal court based on diversity jurisdiction. Plaintiff moved to remand, arguing that the amount in controversy did not exceed \$75,000 and stipulating that it would not seek more than that amount.
STANDARD OF REVIEW	The removing defendant bears the burden of establishing federal subject-matter jurisdiction by a preponderance of the evidence. When the state-court petition seeks an unspecified amount of damages, the court makes a factual inquiry into the amount in controversy.
PRECEDENTIAL VALUE	Unpublished federal district court memorandum and order; precedential status not stated.

TOPICS

subject matter jurisdiction

civil procedure

landlord tenant

eviction

damages

PRACTICE AREAS

civil procedure

removal and remand

diversity jurisdiction

landlord-tenant law

QUESTIONS PRESENTED

1. Whether the defendant established by a preponderance of the evidence that the amount in controversy exceeded \$75,000 at the time of removal, thereby establishing diversity jurisdiction.
2. Whether the plaintiff's post-removal stipulation clarified the amount sought in the original petition and established to a legal certainty that the plaintiff could not recover more than \$75,000.
3. Whether the action should be remanded to the Jefferson County Circuit Court.

HOLDINGS

1. The removing defendant failed to establish by a preponderance of the evidence that the amount in controversy exceeded \$75,000 at the time of removal; therefore, the federal court lacked original diversity jurisdiction.
2. Because the action was not within the federal court's original jurisdiction, the court was required to remand it to the state court from which it was removed.

KEY QUOTATIONS

“Hub Plastics-Midwest has not born its burden to establish by a preponderance of the evidence that the amount in controversy at the time of removal exceeds \$75,000 and that this Court has original jurisdiction.”
(Analysis)

“That binding stipulation! persuades the Court that Midwest Container cannot recover more than \$75,000.00. Thus, it is a “legal certainty” that Midwest Container will not recover more than \$75,000.00.” (Analysis)

FACTUAL BACKGROUND

Midwest Container alleged that it terminated Hub Plastics-Midwest's lease and instructed Hub Plastics-Midwest to vacate the property by November 21, 2025. Hub Plastics-Midwest allegedly remained in possession as of December 3, 2025, when Midwest Container filed an unlawful-detainer petition seeking possession, double the reasonable rental value, costs, and other relief. After removal, Midwest Container stipulated that its unlawful-detainer claim did not exceed \$75,000, exclusive of interest and costs.

PROCEDURAL HISTORY

Plaintiff filed an unlawful-detainer petition in the Circuit Court of Jefferson County, Missouri. Defendant removed the action under 28 U.S.C. §§ 1332 and 1441(a), asserting that the amount in controversy was \$94,853. Plaintiff moved to remand and submitted a post-removal stipulation limiting its recovery to less than \$75,000. The federal district court granted the motion and ordered remand to the Jefferson County Circuit Court.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The action was remanded to the Circuit Court of Jefferson County, Missouri, for further proceedings.

CASES CITED

- Knudson v. Sys. Painters, Inc., 634 F.3d 968, 975 (8th Cir. 2011)
- Schubert v. Auto Owners Ins. Co., 649 F.3d 817, 822-23 (8th Cir. 2011)
- McLain v. Andersen Corp., 567 F.3d 956, 965 (8th Cir. 2009)
- Kansas Pub. Employees Ret. Sys. v. Reimer & Kroger Assocs., Inc., 77 F.3d 1063, 1067-68 (8th Cir. 1996)
- St. Paul Mercury Indem. Co. v. Red Cab Co., 303 U.S. 283, 292 (1938)
- Jackson v. Fitness Resource Group, Inc., 2012 WL 2873668, at *2, *5 (E.D. Mo. July 12, 2012)
- Turner v. Wal-Mart Stores East, LP, No. 4:11 CV 541 CDP, Doc. 14, at *3 (E.D. Mo. May 4, 2011)
- McGuire v. J.B. Hunt Transp., Inc., 2010 WL 2399550, at *3 (E.D. Mo. June 10, 2010)
- Ingram v. Procter & Gamble Paper Products Co., 2011 WL 1564060, at *2 & n.1 (E.D. Mo. Apr. 25, 2011)
- Burmeister v. Liberty Mut. Ins. Co., 2025 WL 2299467 (E.D. Mo. Aug. 8, 2025)
- Fliter v. Werner Enters., 2005 WL 5834638, at *1 (E.D. Mo. Dec. 14, 2005)

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