

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

Ryan Russell v. Solid Rock Realtors, Greg Keirsey, Fake Buyer, and
Chad Hopping

Russell · No. 26-CV-0007-CVE-CDL · Decided January 9, 2026

SUMMARY

The court dismissed without prejudice a pro se plaintiff’s claims arising from an allegedly fraudulent real estate transaction. The court held that the complaint did not establish federal-question jurisdiction because it asserted only state-law claims, and did not establish diversity jurisdiction because it failed to allege the defendants’ citizenship or an amount in controversy exceeding \$75,000.

CASE DETAILS

COURT	United States District Court for the Northern District of Oklahoma
WRITING FOR THE COURT	Claire V. Eagan
JURISDICTION	United States District Court for the Northern District of Oklahoma
DECIDED	January 9, 2026
DOCKET	26-CV-0007-CVE-CDL
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court sua sponte reviewed a pro se complaint for subject-matter jurisdiction before requiring an answer or proceeding to adjudicate the merits.
STANDARD OF REVIEW	The court independently examined whether subject-matter jurisdiction existed and applied the pleading standard applicable to a pro se litigant's jurisdictional allegations.
PRECEDENTIAL VALUE	unknown

TOPICS

- subject matter jurisdiction
- pleadings
- civil procedure
- real estate
- contracts

PRACTICE AREAS

- civil procedure
- federal jurisdiction
- real estate
- contracts
- torts

QUESTIONS PRESENTED

1. Whether the complaint established federal-question jurisdiction when it alleged only state-law contract and tort claims.
2. Whether the complaint established diversity jurisdiction by alleging complete diversity of citizenship and an amount in controversy exceeding \$75,000.
3. Whether the court was required to dismiss the action without prejudice for lack of subject-matter jurisdiction.

HOLDINGS

1. The complaint did not establish federal-question jurisdiction because it asserted only state-law contract and tort claims and identified no claim arising under federal law.
2. The complaint did not establish diversity jurisdiction because it failed to allege the defendants' citizenship, complete diversity among the parties, or that the amount in controversy exceeded \$75,000.
3. When the court determines that subject-matter jurisdiction is lacking, it must dismiss the action, and the dismissal here was without prejudice.

KEY QUOTATIONS

“Federal courts are courts of limited jurisdiction and lack the power to hear any case that is beyond their subject-matter jurisdiction.” (Opinion and Order)

“The Court has reviewed plaintiff’s complaint (Dkt. # 2) and finds no basis to exercise jurisdiction over this case.” (Opinion and Order)

“IT IS THEREFORE ORDERED that plaintiff’s complaint (Dkt. #2) is dismissed without prejudice for lack of subject-matter jurisdiction.” (Opinion and Order)

FACTUAL BACKGROUND

Russell alleged that he contracted with Solid Rock Realtors to sell real property and that the broker placed the property under contract with a fake buyer. He alleged that agent Chad Hopping asked a friend to pose as the buyer, who failed to appear at closing, preventing the transaction. The complaint asserted breach of contract, breach of fiduciary duty, fraud, civil conspiracy, and tortious interference with contract.

PROCEDURAL HISTORY

Ryan Russell filed a pro se complaint alleging state-law claims arising from an allegedly fraudulent real estate transaction. The court determined that the complaint did not establish federal-question or diversity jurisdiction and dismissed the case without prejudice for lack of subject-matter jurisdiction, directing that a separate judgment be entered.

DISPOSITION

dismissed

CASES CITED

- Merida Delgado v. Gonzalez, 428 F.3d 916, 919 (10th Cir. 2005)
- Steel Co. v. Citizens for a Better Env't, 523 U.S. 83, 89 (1998)
- New Mexicans for Bill Richardson v. Gonzalez, 64 F.3d 1495, 1499 (10th Cir. 1995)
- Renne v. Geary, 501 U.S. 312, 317 (1991)
- McNutt v. General Motors Acceptance Corp. of Indiana, Inc., 298 U.S. 178, 182 (1936)
- Arbaugh v. Y & H Corp., 546 U.S. 500, 514 (2006)
- Image Software, Inc. v. Reynolds & Reynolds Co., 459 F.3d 1044, 1048 (10th Cir. 2006)
- Tafoya v. U.S. Department of Justice, 748 F.2d 1389, 1390 (10th Cir. 1984)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Whitney v. New Mexico, 113 F.3d 1170, 1173-74 (10th Cir. 1997)
- Hall v. Bellmon, 935 F.2d 1106, 1110 (10th Cir. 1991)