

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Marie Bush, Monet Daniels, and Clarence Daniels v. Andy Brewer, et
al.

Bush · No. 25-cv-13171 · Decided November 21, 2025

SUMMARY

The United States District Court for the Eastern District of Michigan dismissed the case without prejudice for lack of subject matter jurisdiction. The court held that the plaintiffs failed to establish complete diversity under 28 U.S.C. § 1332(a) and did not respond to the court’s order to show cause.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Judith E. Levy
JURISDICTION	United States District Court for the Eastern District of Michigan
DECIDED	November 21, 2025
DOCKET	25-cv-13171
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs filed an amended complaint asserting diversity jurisdiction. After issuing an order to show cause regarding the adequacy of the jurisdictional allegations, the court dismissed the action without prejudice when plaintiffs failed to respond.
STANDARD OF REVIEW	The court independently assessed whether subject matter jurisdiction existed; under Rule 12(h)(3), a court must dismiss an action whenever it determines that subject matter jurisdiction is lacking.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Marie Bush, Monet Daniels, Clarence Daniels v. Andy Brewer, et al.

TOPICS

- subject matter jurisdiction
- civil procedure
- pleadings

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court had diversity subject matter jurisdiction under 28 U.S.C. § 1332(a) when the amended complaint failed to establish complete diversity.
2. Whether the action had to be dismissed without prejudice under Federal Rule of Civil Procedure 12(h)(3) for lack of subject matter jurisdiction.

HOLDINGS

1. The amended complaint did not establish complete diversity, so plaintiffs failed to demonstrate that the court had diversity subject matter jurisdiction.
2. The action must be dismissed without prejudice for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(h)(3).

KEY QUOTATIONS

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

“The ‘objection that a federal court lacks subject-matter jurisdiction . . . may be raised by a party, or by a court on its own initiative, at any stage in the litigation, even after trial and entry of judgment.’”

FACTUAL BACKGROUND

Plaintiffs Marie Bush, Monet Daniels, and Clarence Daniels filed an amended complaint invoking diversity jurisdiction under 28 U.S.C. § 1332(a). The allegations did not establish that the parties were completely diverse, and the complaint did not allege federal-question jurisdiction. Plaintiffs failed to respond to the court's order to show cause concerning subject matter jurisdiction.

PROCEDURAL HISTORY

Plaintiffs initiated the action on October 7, 2025, and filed an amended complaint on October 8, 2025. On October 14, 2025, the court ordered plaintiffs to show cause why the case should not be dismissed for lack of subject matter jurisdiction because the complaint did not establish complete diversity. Plaintiffs did not respond by the October 28 deadline or seek additional time, so the court dismissed the case without prejudice under Federal Rule of Civil Procedure 12(h)(3).

DISPOSITION

dismissed

CASES CITED

- *Arbaugh v. Y & H Corp.*, 546 U.S. 500, 506 (2006)

- Prime Rate Premium Finance Corp., Inc. v. Larson, 930 F.3d 759, 764-65 (6th Cir. 2019)
- Beanstalk Innovation, Inc. v. SRG Tech., LLC, 823 F. App'x 404, 408 (6th Cir. 2020)
- Pratt v. Ventas, Inc., 365 F.3d 514, 522-23 (6th Cir. 2004)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-eastern-district-of-mic/2025/marie-bush-monet-daniels-and-clarence-daniels-v-andy-brewer-tbihysqc>