

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Theodore Nelson v. Textron Ground Support Equipment, Inc., et al.

Nelson · No. CV 25-9961-JFW(RAOx) · Decided January 6, 2026

SUMMARY

The United States District Court for the Central District of California ordered the defendants to show cause why the action should not be remanded for lack of subject matter jurisdiction. The court questioned whether diversity jurisdiction was adequately established, particularly because the citizenship and legal form of Alliance Ground International were unclear, and directed defendants to respond by January 8, 2026.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	John F. Walter
JURISDICTION	United States District Court for the Central District of California
DECIDED	January 6, 2026
DOCKET	CV 25-9961-JFW(RAOx)
DISPOSITION	other
PROCEDURAL POSTURE	After removal from Los Angeles Superior Court based on alleged diversity jurisdiction, the district court issued an order to show cause requiring defendants to demonstrate why diversity jurisdiction exists and why the action should not be remanded for lack of subject matter jurisdiction.
STANDARD OF REVIEW	Federal courts must independently examine their subject matter jurisdiction, and removal statutes are strictly construed against removal; jurisdiction is presumed absent unless it affirmatively appears.
PRECEDENTIAL VALUE	Unknown; interlocutory district court order to show cause

TOPICS

- subject matter jurisdiction
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the pleadings adequately establish complete diversity of citizenship under 28 U.S.C. § 1332(a).
2. Whether the court should remand the action for lack of subject matter jurisdiction because the citizenship and legal form of Alliance Ground International cannot be determined from the removal papers.

HOLDINGS

1. Because federal courts are courts of limited jurisdiction and removal jurisdiction is strictly construed, the removing defendants must establish that federal jurisdiction exists; any doubt requires rejection of removal jurisdiction.
2. The removal papers did not presently establish diversity jurisdiction because Alliance Ground International was described inconsistently as a corporation and a limited liability company, and the citizenship allegations would be insufficient if it is an LLC.

KEY QUOTATIONS

“Because of the Congressional purpose to restrict the jurisdiction of the federal courts on removal, the statute is strictly construed, and federal jurisdiction must be rejected if there is any doubt as to the right of removal in the first instance.”

“There is a strong presumption that the Court is without jurisdiction unless the contrary affirmatively appears.”

FACTUAL BACKGROUND

The complaint names Textron Ground Support Equipment, Inc., Tug Technologies Corporation, Airport Terminal Services, Inc., and Alliance Ground International as defendants. Textron removed the action on the asserted basis of diversity jurisdiction. The removal notice characterized Alliance Ground International as a Delaware corporation with its principal place of business in Florida, but Alliance later referred to itself both as AGI Cargo, LLC, formerly Alliance Ground International, LLC, and as Alliance Ground International, Inc., leaving its entity type and citizenship unclear.

PROCEDURAL HISTORY

Plaintiff filed the action on September 10, 2025. Textron removed the action on October 17, 2025, alleging diversity jurisdiction under 28 U.S.C. § 1332(a). The court identified uncertainty regarding the legal identity and citizenship of Alliance Ground International and ordered defendants to respond by January 8, 2026; the court stated that failure to respond would result in remand to Los Angeles Superior Court.

DISPOSITION

other

REMAND INSTRUCTIONS

Defendants must show cause in writing by January 8, 2026, why diversity jurisdiction exists and why the action should not be remanded to Los Angeles Superior Court. Failure to respond will result in remand. The order will be submitted on the written response, and no oral argument will be heard unless otherwise ordered.

CASES CITED

- *Bender v. Williamsport Area School District*, 475 U.S. 534, 541 (1986)
- *Duncan v. Stuetzle*, 76 F.3d 1480, 1485 (9th Cir. 1996)
- *Fifty Associates v. Prudential Insurance Company of America*, 446 F.2d 1187, 1190 (9th Cir. 1970)
- *Kanter v. Warner-Lambert Co.*, 265 F.3d 853, 857 (9th Cir. 2001)
- *Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006)
- *Bank of America, N.A. v. Remington Place Homeowner's Association*, 836 Fed. Appx. 580, 581 (9th Cir. 2021)
- *Hertz Corp. v. Friend*, 559 U.S. 77, 80 (2010)

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES -- GENERAL Case No. CV 25-9961-JFW(RAOx) Date: January 6, 2026 Title: Theodore Nelson -v- Textron Ground Support Equipment, Inc., et al. PRESENT: HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE Shannon Reilly None Present Courtroom Deputy Court Reporter ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS: None None PROCEEDINGS (IN CHAMBERS): ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD NOT BE REMANDED FOR LACK OF SUBJECT MATTER JURISDICTION On September 10, 2025, Plaintiff Theodore Nelson ("Plaintiff") filed a Complaint against Defendants Textron Ground Support Equipment, Inc. ("Textron"), Tug Technologies Corporation ("Tug"), Airport Terminal Services, Inc., and Alliance Ground International.

On October 17, 2025, Textron filed a Notice of Removal, alleging that this Court had jurisdiction based on diversity pursuant to 28 U.S.C. § 1332(a). In its Notice of Removal, Textron alleged that "Alliance Ground International, Inc. is [a corporation] formed under the laws of the State of Delaware, with its principal place of business in the State of Florida.

Notice of Removal, ¶ 11. However, in its Joinder in Textron's Opposition to Plaintiff's Motion to Remand, Alliance Ground International refers to itself as both AGI Cargo, LLC, f/k/a Alliance Ground International, LLC and Alliance Ground International, Inc. See Docket No. 44, 1:6-8 and 2:4-5. Based on Alliance Ground International's Joinder, it is impossible for the Court to determine if Alliance Ground International is a corporation or a limited liability company.

In addition, if it is a limited liability company, Textron failed to properly plead Alliance Ground International's citizenship in the Notice of Removal. Federal courts are courts of limited jurisdiction, having subject matter jurisdiction only over matters authorized by the Constitution and Congress. See *Bender v. Williamsport Area School District*, 475 U.S. 534, 541 (1986). "Because of the Congressional purpose to restrict the jurisdiction of the federal courts on removal, the statute is strictly construed, and federal jurisdiction must be rejected if there is any doubt as to the right of removal in the first instance." *Duncan v. Stuetzle*, 76 F.3d 1480, 1485 (9th Cir.

1996) (citations and quotations omitted). There is a strong presumption that the Court is without jurisdiction unless the contrary affirmatively appears. See *Fifty Associates v. Prudential Insurance Company of America*, 446 F.2d 1187, 1190 (9th Cir. 1990).

In addition, diversity jurisdiction under 28 U.S.C. § 1332(a) requires that (1) all plaintiffs be of different citizenship than all defendants, and (2) the amount in controversy exceed \$75,000. See 28 U.S.C. § 1332(a). With respect to a natural person, "the diversity jurisdiction statute, 28 U.S.C. § 1332, speaks of citizenship, not of residency." *Kanter v. Warner-Lambert Co.*, 265 F.3d 853, 857 (9th Cir.

2001). To be a citizen of a state, a natural person must be a citizen of the United States and be domiciled in a particular state. *Id.* Persons are domiciled in the places they reside with the intent to remain or to which they intend to return. *Id.* "A person residing in a given state is not necessarily domiciled there, and thus is not necessarily a citizen of that state." *Id.* A limited liability company is a citizen of every state of which its members are citizens.

See, e.g., *Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) ("[L]ike a partnership, an LLC is a citizen of every state of which its owners/members are citizens."). A corporation is a citizen of any state where it is incorporated and of the state where it has its principal place of business. 28 U.S.C. § 1332(c). See, e.g., *Bank of America, N.A. v. Remington Place Homeowner's Association*, 836 Fed.

Appx. 580, 581 (9th Cir. 2021) ("Bank of America alleges that Remington Place Homeowners' Association 'is a Nevada non-profit corporation,' but a corporation is a citizen of both its state of incorporation 'and... the State where it has its principal place of business'" (quoting *Hertz Corp. v. Friend*, 559 U.S. 77, 80 (2010))).

Accordingly, the defendants are ordered to show cause, in writing, no later than January 8, 2026, why diversity jurisdiction exists and why this action should not be remanded to Los Angeles Superior Court for lack of subject matter jurisdiction. No oral argument on this matter will be heard unless otherwise ordered by the Court. See Fed. R. Civ. P. 78; Local Rule 7-15.

The Order will stand submitted upon the filing of the response to the Order to Show Cause. Failure to respond to this Order to Show Cause will result in the remanding of this action to Los Angeles

Superior Court. IT IS SO ORDERED.

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-central-district-of-cal/2026/theodore-nelson-v-textron-ground-support-equipment-inc-et-al-va3kz540>