

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Flores v. Carry-On Trailer; Fleet Farm

Flores · No. 1:25-CV-1731 · Decided April 30, 2026

SUMMARY

A United States Magistrate Judge recommends dismissing Valerie Flores's pro se complaint against Carry-On Trailer and Fleet Farm without prejudice and without leave to amend. The recommendation concludes that the complaint does not satisfy the amount-in-controversy requirement for diversity jurisdiction, does not present a federal question, and appears to have been filed in an improper venue. The court grants in forma pauperis status and recommends dismissing Carry-On Trailer's premature motion to dismiss as moot.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Paul J. Evangelista
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	April 30, 2026
DOCKET	1:25-CV-1731
DISPOSITION	dismissed
PROCEDURAL POSTURE	On initial review of a pro se complaint filed with an application to proceed in forma pauperis, the magistrate judge recommended dismissal without prejudice and without leave to amend for lack of subject matter jurisdiction and recommended dismissal as moot of a prematurely filed motion to dismiss.
STANDARD OF REVIEW	Initial screening of an in forma pauperis complaint under 28 U.S.C. § 1915(e)(2), accepting well-pleaded factual allegations while liberally construing pro se submissions, but requiring sufficient factual matter to state a plausible claim and establish subject matter jurisdiction.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Valerie Flores v. Carry-On Trailer, Fleet Farm

TOPICS

subject matter jurisdiction

venue

pleadings

motions to dismiss

contracts

PRACTICE AREAS

civil procedure

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QUESTIONS PRESENTED

1. Whether the complaint established diversity-of-citizenship jurisdiction under 28 U.S.C. § 1332.
2. Whether the complaint presented a federal question under 28 U.S.C. § 1331.
3. Whether venue was proper in the Northern District of New York under 28 U.S.C. § 1391(b).
4. Whether the complaint should be dismissed without leave to amend because its jurisdictional defects could not plausibly be cured.
5. Whether defendant Carry-On Trailer's motion to dismiss should be dismissed as moot because it was filed before completion of the court's in forma pauperis screening.

HOLDINGS

1. The complaint did not establish diversity jurisdiction because, although the allegations sufficiently indicated diverse citizenship, the amount in controversy was plainly below the \$75,000 threshold required by 28 U.S.C. § 1332(a)(1).
2. The complaint did not establish federal-question jurisdiction because its reference to a 'Consumer Law issue' and allegations concerning a defective or overpriced trailer described, at most, a state-law contract dispute and did not assert a colorable claim arising under federal law.
3. The complaint should be dismissed without prejudice and without leave to amend because its lack of subject matter jurisdiction was substantive and there was no plausible basis to conclude that amendment could establish federal jurisdiction.
4. Venue appeared improper in the Northern District of New York because the complaint alleged no material connection between that district and the events, property, or defendants, and plaintiff's residence alone did not establish venue.
5. Carry-On Trailer's motion to dismiss should be dismissed as moot because it was filed prematurely before the court completed the required in forma pauperis screening and before service was authorized.

KEY QUOTATIONS

“In sum, plaintiff has failed to demonstrate that this Court has subject matter jurisdiction, and the undersigned has no plausible basis to conclude that plaintiff would be able to establish this Court's jurisdiction through amendment.” (Discussion, Subject Matter Jurisdiction)

“RECOMMENDED, that plaintiff's complaint (Dkt. No. 1) be DISMISSED without prejudice and without opportunity to amend for lack of subject matter jurisdiction” (Conclusion)

FACTUAL BACKGROUND

Plaintiff, a New York citizen, alleged that Carry-On Trailer and Fleet Farm sold her a defective, faulty, and overpriced cargo trailer. She claimed damages including a \$300 towing fee, replacement tires, a trailer lock, a \$400 repair fee, and approximately \$5,300 representing the difference between the trailer's purchase price and its resale value. The complaint identified defendants as associated with Georgia and Wisconsin and did not allege facts connecting the transaction to the Northern District of New York.

PROCEDURAL HISTORY

Plaintiff filed a complaint alleging that defendants sold her a defective and overpriced cargo trailer and sought to proceed in forma pauperis. The court granted the in forma pauperis application and conducted screening under 28 U.S.C. § 1915(e)(2). The magistrate judge concluded that the complaint did not establish diversity jurisdiction or federal-question jurisdiction, that venue appeared improper in the Northern District of New York, and that amendment would be futile. The report-recommendation also recommended dismissing defendant Carry-On Trailer's motion to dismiss as moot because the motion was filed before screening and service.

DISPOSITION

dismissed

CASES CITED

- *Praileau v. Fischer*, 930 F. Supp. 2d 383, 394 (N.D.N.Y. 2013)
- *Kirkland v. Cablevision Systems*, 760 F.3d 223, 224 (2d Cir. 2014) (per curiam)
- *Triestman v. Federal Bureau of Prisons*, 470 F.3d 471, 477 (2d Cir. 2006)
- *Sealed Plaintiff v. Sealed Defendant*, 537 F.3d 185, 191 (2d Cir. 2008)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555-56, 570 (2007)
- *Kastner v. Tri State Eye*, No. 19-CV-10668 (CM), 2019 WL 6841952, at *2 (S.D.N.Y. Dec. 13, 2019)
- *Ruotolo v. IRS*, 28 F.3d 6, 8 (2d Cir. 1994)
- *Flores v. Graphtex*, 189 F.R.D. 54, 55 (N.D.N.Y. 1999)
- *Uzoefune v. American Auto Shield, LLC*, No. 18CV03441, 2018 WL 9624149, at *2 (E.D.N.Y. Oct. 30, 2018)
- *Lyndonville Savings Bank & Trust Co. v. Lussier*, 211 F.3d 697, 700-01 (2d Cir. 2000)
- *Sira v. Morton*, 380 F.3d 57, 67 (2d Cir. 2004)
- *Deswert v. Travelers Commercial Insurance Co.*, No. 6:24-CV-00278 (AMN/TWD), 2025 WL 416765, at *4 (N.D.N.Y. Feb. 6, 2025)
- *GW Holdings Group LLC v. U.S. Highland, Inc.*, 794 F. App'x 49, 51 (2d Cir. 2019)
- *Gerken v. Gordon*, No. 1:24-CV-435 (MAD/CFH), 2024 WL 4608307, at *15 (N.D.N.Y. Oct. 29, 2024)
- *Nielsen v. Rabin*, 746 F.3d 58, 62 (2d Cir. 2014)
- *Edwards v. Penix*, 388 F. Supp. 3d 135, 144-45 (N.D.N.Y. 2019)
- *Cuoco v. Moritsugu*, 222 F.3d 99, 112 (2d Cir. 2000)

- *Ruhrgas AG v. Marathon Oil Co.*, 526 U.S. 574, 583 (1999)
- *FW/PBS, Inc. v. City of Dallas*, 493 U.S. 215, 231 (1990)
- *Manway Construction Co. v. Housing Authority of City of Hartford*, 711 F.2d 501, 503 (2d Cir. 1983)
- *Leroy v. Great Western United Corp.*, 443 U.S. 173, 185 (1979)
- *Roderick v. Joel*, No. 25-CV-5446 (LLS), 2026 WL 90041, at *4 (S.D.N.Y. Jan. 13, 2026)
- *Razzoli v. USDA*, No. 22CV7204AMDLB, 2022 WL 17852024, at *4 (E.D.N.Y. Dec. 22, 2022)
- *Roldan v. Racette*, 984 F.2d 85, 89 (2d Cir. 1993)
- *Small v. Secretary of Health and Human Services*, 892 F.2d 15 (2d Cir. 1989)

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