

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-5329**September Term, 2019****1:19-cv-03076-UNA****Filed On:** February 28, 2020

Robert W. Johnson,

Appellant

v.

Chittenden County State Attorneys Office, et
al.,

Appellees

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Srinivasan, Chief Judge, Henderson, Circuit Judge, and
Sentelle, Senior Circuit Judge

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's November 12, 2019 order, dismissing appellant's complaint for lack of subject matter jurisdiction, be affirmed. The district court correctly concluded that appellant failed to establish federal diversity jurisdiction pursuant to 28 U.S.C. § 1332, because appellant and numerous defendants named in the complaint are residents of the same state. See, e.g., Prakash v. American University, 727 F.2d 1174, 1178 n.25 (D.C. Cir. 1984) ("Federal diversity jurisdiction is lacking if there are any litigants from the same state on opposing sides."). The district court also correctly held that appellant's references to "discrimination" and "violations" did not provide a basis for exercising federal subject matter jurisdiction pursuant to 28 U.S.C. § 1331. See Fed. R. Civ. P. 8(a)(1) ("A pleading that states a claim for relief must contain . . . a short and plain statement of the grounds for the court's jurisdiction . . .").

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy
Deputy Clerk