UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

JS-6

Case No.	**CV 21-5964 DMG (JEMx)**	Date	August 5, 2021
Title	***Pamela Danni v. Catalina Channel Express, Inc., et al.***	Page	1 of 1

Present: The Honorable DOLLY M. GEE, UNITED STATES DISTRICT JUDGE

KANE TIEN	NOT REPORTED
Deputy Clerk	Court Reporter
Attorneys Present for Plaintiff(s)	Attorneys Present for Defendant(s)
None Present	None Present

Proceedings: IN CHAMBERS—ORDER RE DISMISSAL OF ACTION WITHOUT PREJUDICE FOR LACK OF SUBJECT MATTER JURISDICTION

On July 23, 2021, Plaintiff Pamela Danni filed a Complaint against Defendant Catalina Channel Express, Inc. and Greg Edmund Bombard asserting one claim of negligence for injuries she sustained on a ramp while attempting to board Defendants' ferry at the Port of Long Beach. [Doc. # 1.] On July 27, 2021, the Court issued an Order to Show Cause ("OSC") why this case should not be "remanded" to state court for lack of subject matter jurisdiction under admiralty or maritime jurisdiction. [Doc. # 11.] Inasmuch as the Complaint was filed in federal court and not removed from state court, the Court erred in characterizing the issue in the OSC as one relating to "remand." Instead, this case must be dismissed if subject matter jurisdiction does not exist.

On August 3, 2021, Danni filed a response conceding that federal subject matter jurisdiction does not exist in this case because she fell and incurred injuries on land, and not on navigable waters. *See Adamson v. Port of Bellingham*, 907 F.3d 1122, 1126 (9th Cir. 2018) (citation and internal quotation marks omitted) (finding maritime law applies to a tort claim and confers jurisdiction under 28 U.S.C. section 1333 when the tort occurred on navigable waters, including on gangplanks attached to vessels, but not when the tort occurs on land). [Doc. # 12.] Danni clarified that her injuries occurred on land and agrees that the Court lacks subject matter jurisdiction.

In light of the foregoing, the Court hereby **ORDERS** this action dismissed without prejudice for lack of subject matter jurisdiction.

IT IS SO ORDERED.