

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 99-3640EM

John Gordon; Marie Grace Gordon,	*	
	*	
Appellants,	*	On Appeal from the United
	*	States District Court
v.	*	for the Eastern District
	*	of Missouri.
Kemper National Insurance Companies;	*	
American Motorist Company,	*	[Not To Be Published]
	*	
Appellees.	*	

Submitted: March 3, 2000
Filed: March 13, 2000

Before RICHARD S. ARNOLD, BOWMAN, and BEAM, Circuit Judges.

PER CURIAM.

John and Marie Gordon appeal from the District Court's¹ order dismissing their diversity action for lack of subject matter jurisdiction. After careful review of the record and the parties' submissions, we conclude that the District Court properly dismissed the case since the maximum amount the Gordons could receive in this action, even assuming a meritorious claim, was less than the requisite jurisdictional amount.

¹The Honorable Stephen N. Limbaugh, United States District Judge for the Eastern District of Missouri.

See St. Paul Mercury Indem. Co. v. Red Cab Co., 303 U.S. 283, 289 (1938) (district court will dismiss diversity action for lack of jurisdiction when it appears to “legal certainty” that plaintiff cannot satisfy jurisdictional amount).

Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.