

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JORGE SANTIAGO-AGUILERA, :

Plaintiff, :

v. :

Civ. No. 16-304-RGA

DAVIS-YOUNG ASSOCIATES, :  
et al., :

Defendants. :

---

Jorge Santiago-Aguilera, New Castle, Delaware, Pro Se Plaintiff.

**MEMORANDUM OPINION**

July 8, 2016  
Wilmington, Delaware

  
ANDREWS, U.S. District Judge:

Plaintiff Jorge Santiago-Aguilera filed this action seeking compensation as a result of a work related injury. He appears *pro se* and has been granted leave to proceed *in forma pauperis*. (D.I. 5). The Court proceeds to review and screen the Complaint pursuant to 28 U.S.C. § 1915(e)(2).

Plaintiff filed an almost identical complaint in this Court in *Santiago-Aguilera v. State of Delaware*, Civ. No. 15-1076-RGA, which was dismissed on February 8, 2016 for lack of subject matter jurisdiction. See Civ. No. 15-1076-RGA at D.I. 8. The only difference between Civ. No. 15-1076-RGA and the instant case is that the State of Delaware Department of Labor was named as a defendant in No. 15-1076-RGA, but it is not named as a defendant in this case. Other than that, the allegations are identical.

The Court refers to its analysis in Civ. No. 15-1076-RGA at D.I. 7 and will dismiss this Complaint for the same reasons: There is no basis for federal jurisdiction. The Court has no jurisdiction over Plaintiff's claims of injury while in the employ of Davis-Young, as the exclusive remedy for Plaintiff's work related claims lies under the Delaware Workers' Compensation Act, see 19 Del. C. §§ 2301-2391, and the requisites for diversity jurisdiction have not been met, see 28 U.S.C. § 1332(a)(1).

Therefore, the Court will dismiss the Complaint for lack of subject matter jurisdiction. Amendment is futile.

An appropriate order will be entered.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JORGE SANTIAGO-AGUILERA, :

Plaintiff, :

v. :

Civ. No. 16-304-RGA

DAVIS-YOUNG ASSOCIATES, :  
et al., :

Defendants. :

---

**ORDER**

At Wilmington this 8 day of July, 2016, consistent with the Memorandum Opinion issued this date, IT IS HEREBY ORDERED that:

1. The Complaint is **DISMISSED** for lack of subject matter jurisdiction. Amendment is futile.
2. The Clerk of Court is directed to **CLOSE** the case.

  
UNITED STATES DISTRICT JUDGE