

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN S. TRINSEY, et al. : CIVIL ACTION
v. :
PECO ENERGY CO., et al. : NO. 97-5479

MEMORANDUM AND ORDER

FULLAM, Sr.J. JULY , 1998

Plaintiff John S. Trinsey filed his pro se complaint on August 27, 1997, naming PECO Energy Company as defendant. Trinsey, apparently believing that he is an adverse possessor, sought an injunction to prevent PECO from transferring a parcel of land in Montgomery County which PECO owns, and which Trinsey wants to purchase. Trinsey also alleges that the land in question is the subject of a quiet title action currently pending in the Court of Common Pleas of Montgomery County.

On October 16, 1997, PECO filed a motion to dismiss. Plaintiff sought and obtained from the defendant numerous extensions of time to respond to the motion. He then filed an amended complaint on April 17, 1998, naming several additional defendants. In that pleading, Trinsey alleges that PECO sold the disputed real estate to the defendant Borough of Bridgeport, wherein the land is located, and also that PECO permitted an “illegal structure” to be

constructed on the property. What connection most of the other additional defendants have to this controversy is unclear, and it does not appear from the docket that any of the new defendants was served; however, counsel for the Borough of Bridgeport entered an appearance and filed a motion to dismiss. Trinsey responded to the pending motions on June 21, 1998, after being ordered to do so.

The parties agree that this dispute is the subject of a quiet title action in state court. It is abundantly clear that, even assuming the existence of subject matter jurisdiction, this Court may not interfere in those proceedings. An Order follows.

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ORDER

AND NOW, this day of July, 1998, IT IS ORDERED that the above captioned action is DISMISSED WITHOUT PREJUDICE to Plaintiff's pending action in the Court of Common Pleas of Montgomery County.

Sr.J.

Fullam,