

Question

In Oklahoma federal court, can a victim in Texas sue for deceit, conversion, intentional infliction of emotional distress (IIED), and preparation of false evidence under a personal injury (other) claim if the defendant allegedly deceived the victim by inviting their spouse to his residence, assisted in converting marital funds, and helped file fraudulent divorce paperwork?

Answer (U.S. Federal)

Short response

Based on the limited information provided, a victim in Texas could potentially sue a defendant in Oklahoma federal court for the personal tort claims described, provided diversity jurisdiction requirements (\$75,000+ in controversy between citizens of different states) are met and proper venue is established.

Summary

A victim in Texas seeking to sue a defendant for deceit, conversion, intentional infliction of emotional distress, and preparation of false evidence in Oklahoma federal court must first establish that the court has subject matter jurisdiction. The most likely basis would be diversity jurisdiction under [28 U.S.C. § 1332](#), which requires complete diversity between the parties (plaintiff from Texas, defendant presumably from Oklahoma) and an amount in controversy exceeding \$75,000.

Additionally, venue must be proper in the Oklahoma federal court under [28 U.S.C. § 1391](#), which would be satisfied if the defendant resides in Oklahoma or if a substantial part of the events giving rise to the claims occurred there. Assuming these jurisdictional and venue requirements are met, the federal court would likely have authority to hear the various tort claims, although the substance of those claims would be governed by the applicable state law, which would need to be determined through a choice-of-law analysis not covered in the provided materials.

Background and Relevant Law

Federal Court Jurisdiction

For a case to be heard in federal court, the court must have subject matter jurisdiction. For the scenario described, where a Texas victim seeks to sue a defendant (presumably from Oklahoma) for various personal injury torts, the most relevant jurisdictional basis is diversity of citizenship under [28 U.S.C. § 1332](#).

According to [28 U.S.C. § 1332](#), "The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between-citizens of different States." This provision establishes two key requirements for diversity jurisdiction:

1. The amount in controversy must exceed \$75,000, exclusive of interest and costs.
2. The parties must be citizens of different states (complete diversity).

In this case, the plaintiff (victim) is from Texas, and the defendant appears to be from Oklahoma (given the question's focus on Oklahoma federal court). This suggests that the citizenship requirement for diversity jurisdiction would likely be satisfied. However, the amount in controversy requirement would need to be met as well. The victim would need to plausibly claim damages exceeding \$75,000 for their claims of deceit, conversion, IIED, and preparation of false evidence.

Supplemental Jurisdiction

If the federal court has original jurisdiction over at least one claim (e.g., a claim that independently satisfies the diversity jurisdiction requirements), it may exercise supplemental jurisdiction over related claims that do not independently meet jurisdictional requirements.

[28 U.S.C. § 1367](#) provides that "in any civil action of which the district courts have original jurisdiction, the district courts shall have supplemental jurisdiction over all other claims that are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution."

This means that if at least one of the victim's claims (deceit, conversion, IIED, or preparation of false evidence) establishes federal jurisdiction, the court may hear the other related claims as well, even if they would not independently satisfy jurisdictional requirements.

Venue

Even if a federal court has subject matter jurisdiction, the case must be filed in a court with proper venue. Venue rules determine which federal district court is the appropriate location for the lawsuit.

[28 U.S.C. § 1391](#) establishes that a civil action may be brought in:

1. "a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located;"
2. "a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated;" or
3. "if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action."

In this scenario, an Oklahoma federal court would be a proper venue if:

- The defendant resides in Oklahoma, or
- A substantial part of the events giving rise to the claims occurred in Oklahoma.

Based on the facts provided, the defendant allegedly invited the victim's spouse to his residence (presumably in Oklahoma), assisted in converting marital funds, and helped file fraudulent divorce paperwork. If these activities occurred in Oklahoma, they could constitute "a substantial part of the events or omissions giving rise to the claim," making Oklahoma federal court a proper venue under [28 U.S.C. § 1391](#)(b)(2).

Analysis

Establishing Jurisdiction in Oklahoma Federal Court

For the Texas victim to sue in Oklahoma federal court, they must first establish that the court has subject matter jurisdiction. Based on the limited materials provided, diversity jurisdiction under [28 U.S.C. § 1332](#) is the most likely basis for jurisdiction.

To establish diversity jurisdiction, the victim would need to show:

1. Complete diversity exists between the parties. This appears to be satisfied since the victim is from Texas and the defendant is presumably from Oklahoma.
2. The amount in controversy exceeds \$75,000. This would depend on the specific damages the victim is claiming. In cases involving deceit, conversion of marital funds, IIED, and preparation of false evidence in the context of a divorce, the claimed damages could potentially exceed this threshold, particularly if the converted marital funds were substantial or if the victim suffered significant emotional distress warranting damages.

If these requirements are met, the Oklahoma federal court would have subject matter jurisdiction over the case based on diversity of citizenship.

Venue Analysis for Oklahoma Federal Court

Assuming jurisdiction exists, the next question is whether venue is proper in the Oklahoma federal court. Under [28 U.S.C. § 1391](#), venue would be proper in Oklahoma if:

1. The defendant resides in Oklahoma, which is likely given the scenario's focus on Oklahoma federal court.

2. A substantial part of the events giving rise to the claims occurred in Oklahoma. Based on the facts provided, several key events appear to have occurred in Oklahoma:

- The defendant invited the victim's spouse to his residence (presumably in Oklahoma)
- The defendant assisted in converting marital funds (possibly in Oklahoma)
- The defendant helped file fraudulent divorce paperwork (possibly in Oklahoma)

If these activities occurred in Oklahoma, they would likely constitute "a substantial part of the events or omissions giving rise to the claim," making Oklahoma federal court a proper venue under [28 U.S.C. § 1391\(b\)\(2\)](#).

Analysis of Specific Claims

The victim is seeking to bring claims for deceit, conversion, IIED, and preparation of false evidence under a personal injury theory. While federal courts have jurisdiction based on diversity of citizenship, they apply state substantive law to the claims themselves. The available materials do not provide information on which state's law would apply to these tort claims, but courts typically conduct a choice-of-law analysis to determine this.

1. Deceit (Fraud)

Deceit or fraud generally involves a knowingly false representation made with the intent to induce reliance, resulting in damages. The victim alleges the defendant deceived them by inviting their spouse to his residence, potentially as part of a scheme to interfere with the marriage. This could potentially constitute deceit if all elements are established under the applicable state law.

2. Conversion

Conversion involves the wrongful exercise of dominion and control over another's property. The victim alleges the defendant assisted in converting marital funds. If the defendant knowingly helped the spouse wrongfully take or use marital funds that rightfully belonged (at least in part) to the victim, this could potentially constitute conversion under the applicable state law.

3. Intentional Infliction of Emotional Distress (IIED)

IIED typically requires extreme and outrageous conduct that intentionally or recklessly causes severe emotional distress. The victim would need to show that the defendant's alleged conduct of deceiving the victim, assisting in converting marital funds, and helping file fraudulent divorce paperwork was extreme and outrageous and caused severe emotional distress. Whether this meets the threshold for IIED would depend on the specific facts and the applicable state law.

4. Preparation of False Evidence

The claim for "preparation of false evidence" is less common as a standalone tort claim but could potentially be related to fraud or another tort depending on the specific facts and applicable state law. The victim alleges the defendant helped file fraudulent divorce paperwork, which could involve the preparation of false evidence.

Supplemental Jurisdiction Considerations

If the federal court has original jurisdiction over one or more of the victim's claims based on diversity, it may exercise supplemental jurisdiction over related claims under [28 U.S.C. § 1367](#). This would allow the court to hear all of the victim's claims in a single lawsuit, even if some claims would not independently satisfy jurisdictional requirements.

In this case, the claims for deceit, conversion, IIED, and preparation of false evidence all appear to arise from the same core set of facts involving the defendant's alleged actions related to the victim's marriage and divorce. As such, they would likely form part of the "same case or controversy" for purposes of supplemental jurisdiction.

Potential Challenges and Limitations

Amount in Controversy Requirement

One potential challenge is establishing that the amount in controversy exceeds \$75,000. The victim would need to make a good faith claim for damages exceeding this threshold. If the converted marital funds were substantial or if the victim suffered significant emotional distress, this threshold might be met, but it depends on the specific facts of the case.

Personal Jurisdiction

Although the provided materials do not directly address personal jurisdiction, it's worth noting that the Oklahoma federal court would need to have personal jurisdiction over the defendant. This is likely satisfied if the defendant resides in Oklahoma, but could be more complicated if the defendant is not an Oklahoma resident.

Choice of Law Issues

Federal courts sitting in diversity apply the choice-of-law rules of the state in which they sit to determine which state's substantive law governs the claims. The provided materials do not address which state's law would apply to the victim's tort claims. This would be an important consideration, as the elements and requirements for each tort claim could vary depending on whether Oklahoma law, Texas law, or another state's law applies.

Domestic Relations Exception

Another potential limitation not addressed in the provided materials is the "domestic relations exception" to federal jurisdiction, which generally prevents federal courts from hearing cases involving divorce, alimony, and child custody. While the victim's claims are tort claims rather than direct domestic relations matters, the fact that they relate to a divorce could potentially raise complications depending on the specific facts and the extent to which the claims involve determinations typically reserved for state family courts.

Exceptions and Caveats

Jurisdictional Exceptions

While the provided materials suggest that the Oklahoma federal court could have jurisdiction based on diversity of citizenship, there are several potential exceptions and caveats:

1. If the amount in controversy does not exceed \$75,000, the court would lack diversity jurisdiction unless another basis for federal jurisdiction exists (not covered in the provided materials).
2. If the victim and defendant are not completely diverse (i.e., if both are citizens of the same state), the court would lack diversity jurisdiction. The scenario assumes the victim is from Texas and the defendant is from Oklahoma, but this would need to be confirmed.

Venue Exceptions

Even if jurisdiction exists, venue might not be proper in Oklahoma federal court if:

1. The defendant does not reside in Oklahoma, and
2. A substantial part of the events giving rise to the claims did not occur in Oklahoma.

In such a case, the victim might need to file the lawsuit in a different federal district where venue is proper.

Claim-Specific Limitations

The viability of each specific claim would depend on the applicable state law and the specific facts of the case:

1. For deceit/fraud claims, many states require pleading with particularity, meaning the victim would need to specify the who, what, when, where, and how of the alleged fraud.
2. For conversion claims, the victim would need to establish a property interest in the converted funds. If the funds were clearly separate

property of the spouse rather than marital property, this claim might be more difficult to establish.

3. For IIED claims, courts typically set a high bar for what constitutes "extreme and outrageous" conduct. Depending on the specific facts and applicable law, the defendant's actions might not meet this threshold.
4. For the "preparation of false evidence" claim, the specific elements and viability would depend heavily on the applicable state law and whether it recognizes such a cause of action.

Conclusion

Based on the limited materials provided, a victim in Texas could potentially sue a defendant in Oklahoma federal court for deceit, conversion, IIED, and preparation of false evidence claims related to the defendant's alleged involvement in deceiving the victim, inviting their spouse to his residence, assisting in converting marital funds, and helping file fraudulent divorce paperwork, provided that:

1. The requirements for diversity jurisdiction are met:
 - The victim (plaintiff) and defendant are citizens of different states.
 - The amount in controversy exceeds \$75,000.
2. Venue is proper in Oklahoma federal court:
 - The defendant resides in Oklahoma, or
 - A substantial part of the events giving rise to the claims occurred in Oklahoma.
3. The specific elements of each tort claim can be established under the applicable state law, which would be determined through a choice-of-law analysis.

While the provided materials suggest that jurisdiction and venue could potentially be established in Oklahoma federal court, they do not address the substantive requirements for each of the tort claims under the relevant state law. The victim would need to ensure that their claims meet the specific elements required by the applicable state law.

Furthermore, there may be practical considerations not addressed in the provided materials, such as the domestic relations exception to federal jurisdiction, that could affect the viability of these claims in federal court. The victim may wish to consider whether state court might be a more appropriate forum for claims that are closely related to domestic relations matters.

In conclusion, while it appears theoretically possible for the victim to bring these claims in Oklahoma federal court based on the jurisdictional and venue provisions discussed, the ultimate success of the claims would depend on factors not fully addressed in the provided materials, including the

specific elements of each tort under the applicable state law and potential limitations on federal court jurisdiction over matters related to divorce and family law.

Legal Authorities

[28 U.S.C. § 1332 28 U.S.C. § 1332 Diversity of Citizenship; Amount In Controversy; Costs](#)

Extract

The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between- citizens of different States;

Summary

For a federal court to have jurisdiction over a civil action based on diversity of citizenship, the matter in controversy must exceed \$75,000, and the parties must be citizens of different states. This is relevant to the question because it addresses the jurisdictional requirements for a federal court to hear a case involving parties from different states, such as a victim in Texas suing a defendant in Oklahoma.

[28 U.S.C. § 1367 28 U.S.C. § 1367 Supplemental Jurisdiction](#)

Extract

Except as provided in subsections (b) and (c) or as expressly provided otherwise by Federal statute, in any civil action of which the district courts have original jurisdiction, the district courts shall have supplemental jurisdiction over all other claims that are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution. Such supplemental jurisdiction shall include claims that involve the joinder or intervention of additional parties.

Summary

Federal district courts can exercise supplemental jurisdiction over claims that are related to the original jurisdiction claims, forming part of the same case or controversy. This means that if the federal court has original jurisdiction over a claim, it can also hear related claims, such as those for deceit, conversion, IIED, and preparation of false evidence, if they are part of the same case or controversy.

[28 U.S.C. § 1391 28 U.S.C. § 1391 Venue Generally](#)

Extract

A civil action may be brought in- a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

Summary

The venue for a civil action in federal court can be determined by the residence of the defendant, the location where a substantial part of the events or omissions occurred, or where the property in question is situated. This means that if the defendant resides in Oklahoma or if a substantial part of the events related to the claim occurred in Oklahoma, the federal court in Oklahoma could be a proper venue for the lawsuit.

This memo was compiled by Vincent AI based on vLex materials available as of June 04, 2025. [View full answer on vLex](#)