UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1879

JOHN E. DRISCOLL, III; LAURA D. HARRIS; DANIEL J. PESACHOWITZ; DEENA L. REYNOLDS, Substitute Trustee,

Plaintiffs - Appellees,

v.

SANDRA S. FORQUER,

Defendant – Appellant,

and

BARBARA S. FORQUER,

Defendant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Ellen L. Hollander, District Judge. (1:16-cv-02555-ELH)

Submitted: November 22, 2016 Decided: November 29, 2016

Before DIAZ and THACKER, Circuit Judges, and DAVIS, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Sandra S. Forquer, Appellant Pro Se. Douglas Brooks Riley, TREANOR, POPE & HUGHES, PA, Towson, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sandra S. Forquer seeks to appeal the district court's order remanding this removed action to the state court for lack of jurisdiction. With certain exceptions not applicable here, "[a]n order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise." 28 U.S.C. § 1447(d) (2012). The Supreme Court has limited the scope of § 1447(d) to prohibiting appellate review of remand orders based on a defect in the removal procedure or lack of subject matter jurisdiction. Quackenbush v. Allstate Ins. Co., 517 U.S. 706, 711–12 (1996); see 28 U.S.C. § 1447(c) (2012). Here, the remand was based on lack of subject matter jurisdiction. Accordingly, this court lacks jurisdiction to review the district court's order. We therefore deny Forquer leave to proceed in forma pauperis and grant Appellees' motion to dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED