UNITED STATES DISTRICT COURT DISTRICT OF MAINE

VON SCOTT,)
Plaintiff,)
v.)
CARRINGTON MORTGAGE SERVICES, LLC,))
Defendant.))

2:23-cv-00193-JDL

ORDER ACCEPTING THE RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

Plaintiff Von Scott filed an action in the Maine Superior Court on April 3, 2023. Defendant Carrington Mortgage Services, LLC ("Carrington"), removed the case to this court on May 3, 2023 (ECF No. 1). Von Scott filed a Motion to Remand to State Court on May 26, 2023 (ECF No. 9), and Carrington filed a Motion to Dismiss on June 1, 2023 (ECF No. 10).

United States Magistrate Judge Karen Frink Wolf filed her Recommended Decision on the motions with the Court on December 15, 2023 (ECF No. 20), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2024) and Fed. R. Civ. P. 72(b), recommending that the Court grant the Plaintiff's Motion to Remand and defer resolution of the Motion to Dismiss. The time within which to file objections has expired, and no objections have been filed.¹ The Magistrate Judge provided notice that a party's

 $^{^1\,}$ Von Scott filed a response in support of the Recommended Decision on February 1, 2024 (ECF No. 23).

failure to object would waive the right to *de novo* review and appeal. I have reviewed and considered the Recommended Decision, together with the record. I concur with the recommendations of the Magistrate Judge and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision (ECF No. 20) of the Magistrate Judge is hereby **ACCEPTED**, and the Plaintiff's Motion to Remand (ECF No. 9) is **GRANTED**. The Court **DEFERS** resolution of the Defendant's Motion to Dismiss (ECF No. 10) for consideration by the state court on remand.

SO ORDERED.

Dated this 25th day of March, 2024.

/s/ Jon D. Levy U.S. DISTRICT JUDGE