

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2225

DIANE S. ROSENBERG; MARK D. MEYER; JOHN A. ANSELL, III;
KENNETH SAVITZ; STEPHANIE MONTGOMERY,

Plaintiffs - Appellees,

v.

LUCREZIA IONA CANADAY; KEVIN C. BETSKOFF, JR.,

Defendants - Appellants.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. George L. Russell, III, District Judge.
(1:13-cv-01922-GLR)

Submitted: February 26, 2014

Decided: March 11, 2014

Before NIEMEYER, AGEE, and THACKER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Lucrezia Iona Canaday; Kevin C. Betskoff, Jr., Appellants Pro
Se. Mark David Meyer, Stephanie R. Montgomery, ROSENBERG &
ASSOCIATES, LLC, Bethesda, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Lucrezia Canaday and Kevin Betskoff, Jr., seek to appeal the district court's order remanding their case to state court for lack of subject matter jurisdiction. An order remanding a case to state court is generally not reviewable on appeal or otherwise. 28 U.S.C. § 1447(d) (2012). "Section 1447(c) allows a district court to remand based on: (1) a district court's lack of subject matter jurisdiction or (2) a defect in removal other than lack of subject matter jurisdiction" E.D. ex rel. Darcy v. Pfizer, Inc., 722 F.3d 574, 579 (4th Cir. 2013) (internal quotation marks omitted). Appellate review "is barred if the order was based on grounds in § 1447(c)." Id. (internal quotation marks and alterations omitted).

Thus, because the district court's remand order was grounded upon § 1447(c)(1), § 1447(d) requires that we dismiss the appeal for lack of jurisdiction. In light of this determination, we deny Appellants' motion to stay. 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