

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 13-2164

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St. Louis County

*Plaintiff - Appellee*

v.

Albert D. Thomas

*Defendant - Appellant*

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Appeal from United States District Court  
for the Eastern District of Missouri - St. Louis

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Submitted: December 26, 2013

Filed: January 3, 2014

[Unpublished]

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Before WOLLMAN, BYE, and KELLY, Circuit Judges.

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PER CURIAM.

Albert Thomas sought to remove to federal court, pursuant to 28 U.S.C. § 1443(1), a state criminal case he alleged was pending against him in St. Louis

County Municipal Court, Missouri. The district court<sup>1</sup> summarily remanded the case, and Thomas appealed.

We have authority to review the district court's remand order. See 28 U.S.C. § 1447(d). We hold that the district court properly remanded the case because the notice of removal did not comply with the procedural requirements of 28 U.S.C. § 1455, and did not meet the requirements for removal under 28 U.S.C. § 1443(1). See 28 U.S.C. § 1455(a), (b)(1), (b)(4); Johnson v. Mississippi, 421 U.S. 213, 219-20 (1975) (outlining two-prong test for removal under § 1443(1)).

Accordingly, we affirm.

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<sup>1</sup>The Honorable Charles A. Shaw, United States District Judge for the Eastern District of Missouri.