

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

GREEN TREE SERVICING LLC,)
as servicer for the Bank)
of New York Mellon Trust)
Company, N.A., as Trustee)
for BCMSC Securitization)
Trust 1999-B,)

Plaintiff,)

v.)

THOMAS C. FLOWERS and)
SHERRY CARRUTHERS,)

Defendants.)

CIVIL ACTION NO.
1:14cv1140-MHT
(WO)

OPINION AND ORDER

Plaintiff filed this lawsuit in state court involving a dispute over a mobile home, and the defendants removed the case to federal court. The United States Magistrate Judge ordered the defendants to show cause why plaintiff's motion to remand should not be granted and why this case should not be remanded to state court. The defendants did not respond. This lawsuit is now before the court on the recommendation

of the magistrate judge that plaintiff's remand motion should be granted and case remanded to state court for lack of subject-matter jurisdiction and for failure to comply with the removal requirements found in 28 U.S.C. § 1441(b)(2) and 28 U.S.C. § 1446(b)(2)(a). There are no objections to the recommendation. After an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

Accordingly, it is the ORDER, JUDGMENT, and DECREE of the court that the magistrate judge's recommendation (doc. no. 8) is adopted; that the plaintiff's motion to remand (doc. no. 4) is granted; and that, pursuant to 28 U.S.C. § 1447(c), this cause is remanded to the Circuit Court of Dale County, Alabama.

The clerk of the court is DIRECTED to take appropriate steps to effect the remand.

This case is closed in this court.

DONE, this the 12th day of January, 2015.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE