

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CHERYL SUTTLES,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:15-cv-934-WHA
)	
VENDOR RESOURCE MANAGEMENT;)	(wo)
CITIMORTGAGE, INC.,)	
MORTGAGE ELECTRONIC)	
REGISTRATION SYSTEMS, INC.,)	
ANCHOR MORTGAGE SERVICES, INC.,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

This cause is before the court on the Report and Recommendation of the Magistrate Judge (Doc. #15), and Defendant Citimortgage, Inc.’s Objections thereto (Doc. #16).

Upon an independent evaluation and *de novo* review of the file in this case, the court finds that the objection is without merit and is due to be overruled.

The court agrees with the reasoning of the Magistrate Judge that applying *Central of Georgia Ry. Co. v. Riegel Textile Corp.*, 426 F.2d 935 (1970), to find that the removal in this case was appropriate would be an expansion of *Riegel* which has not been applied by the Eleventh Circuit Court of Appeals. Federal courts are directed to construe removal statutes strictly and to resolve all doubts about jurisdiction in favor of remand to state court. *Univ. of S. Ala. v. Am. Tobacco Co.*, 168 F.3d 405, 411 (11th Cir. 1999). Therefore, rather than extend *Riegel*, the court finds it appropriate to remand this case to state court. *See, e.g., ConocoPhillips*

Co. v. Turner Industries Group, LLC, No. G-05-516, 2006 WL 213956, at *2 (S.D. Tex. Jan. 24, 2006) (stating that “[c]onstruing the *Riegel* decision strictly requires its limitation to cases where the claim sought to be removed has been severed from the original claims.”).

Accordingly, the objection is OVERRULED, and the court ADOPTS the Recommendation of the Magistrate Judge.

It is hereby ORDERED that the Motion to Remand (Doc. #8) is GRANTED.

The Clerk is DIRECTED to take the necessary steps to remand this case to the Circuit Court of Elmore County, Alabama.

DONE this 17th day of March, 2016.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE