

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

SIMA PROPERTIES, L.L.C.,)
)
Plaintiff,)
)
v.)
)
JOHN R. COOPER, in his official)
capacity as Director of the)
Alabama Department of)
Transportation, *et al.*,)
)
Defendants.)

CASE NO. 2:16-CV-163-WKW

ORDER

On June 9, 2016, the Magistrate Judge filed a Recommendation to which no timely objections have been filed. (Doc. # 17.) Upon an independent review of the file and upon consideration of the Recommendation, it is ORDERED that

- (1) The Recommendation is ADOPTED;
- (2) Plaintiff’s Motion to Remand (Doc. # 5) is GRANTED;
- (3) This case is REMANDED to the Circuit Court of Montgomery County, Alabama, for lack of subject matter jurisdiction; and
- (4) Plaintiff’s request for attorney’s fees and costs under § 1447(c) is DENIED.

The Clerk of the Court is DIRECTED to take the steps necessary to effectuate the remand.

DONE this 29th day of June, 2016.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE