

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

CHRIS JONES,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	2:16cv343-MHT
	)	(WO)
STATE FARM FIRE AND	)	
CASUALTY COMPANY and	)	
JOHN VERMILLION,	)	
	)	
Defendants.	)	

OPINION AND ORDER

Plaintiff filed this lawsuit in state court naming as defendants the insurance company that had issued her an insurance policy and the individual insurance agent who sold her the policy, and asserting claims for breach of contract, bad-faith denial of her insurance claim, negligent procurement of the policy, fraud, misrepresentation, suppression, and waiver estoppel. Defendants removed this case to federal court, claiming that the court has diversity jurisdiction because the insurance agent was fraudulently joined. See 28 U.S.C.

§ 1332. Plaintiff moved to remand. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that the plaintiff's motion to remand be granted and that the case be remanded to state court for lack of subject-matter jurisdiction. Also before the court is the defendants' objection 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.

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Accordingly, it is the ORDER, JUDGMENT, and DECREE of the court that:

(1) Defendants' objection (doc. no. 22) is overruled.

(2) The magistrate judge's recommendation (doc. no. 21) is adopted.

(3) Plaintiff's motion to remand (doc. no. 12) is granted.

(4) Pursuant to 28 U.S.C. § 1447(c), this cause is remanded to the Circuit Court of Montgomery County, Alabama.

(5) All other pending motions are left for resolution by the state court.

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 23rd day of August, 2016.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE