

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

BRENDA RYALS and ALLEN)
RYALS,)
)
Plaintiffs,)
)
v.)
)
WAL-MART STORES EAST,)
L.P.,)
)
Defendant.)

CIVIL ACTION NO.
2:16cv580-MHT
(WO)

ORDER

Plaintiffs filed this case in state court seeking damages for negligence and loss of consortium, and defendant removed to this federal court. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiffs' motion to remand be granted and that the case be remanded to state court for lack of subject-matter jurisdiction. Also before the court are the removing defendant's objections to the recommendation. After an independent and de novo review of the record, the court concludes

that the objections should be overruled and the magistrate judge's recommendation adopted.

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

(1) The objections (doc. no. 21) are overruled.

(2) The magistrate judge's recommendation (doc. no. 19) is adopted.

(3) Plaintiffs' motion to remand (doc. no. 11) is granted.

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

(5) The remaining pending motion is 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 8th day of December, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE