

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

SUSAN HOFF,

)

Plaintiff;

)

)

vs.

)

2:14-cv-2297-JHE

)

)

MARY MILLER,

)

)

Defendant.

)

)

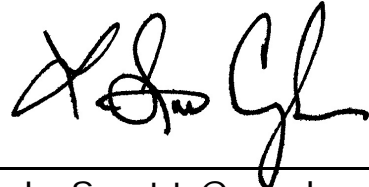
ORDER

On January 16, 2015, the Magistrate Judge issued an order remanding this case to state court, effective fifteen days from that date. (Doc. 13.) On January 27, 2015, before that order became effective, Eliot Hoff filed objections to the order. (Doc. 14.) The Magistrate Judge subsequently directed the Clerk to forward the order and entire court file to a district judge randomly selected for the purpose of reviewing the order to remand; the undersigned was selected.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the order to remand and the objections thereto, the Court is of the opinion that the objections are due to be and are hereby OVERRULED and the Magistrate Judge's order to remand is due to be and is hereby ADOPTED and

ACCEPTED.¹ This action is hereby REMANDED to the Circuit Court of Jefferson County, Alabama.

Done this 30th day of January 2015.

A handwritten signature in black ink, appearing to read 'L. Scott Coogler', written over a horizontal line.

L. Scott Coogler
United States District Judge
[160704]

¹ In addition to the explanation as to why remand is warranted as stated by the Magistrate Judge in his order, this Court wishes to add the following. Assuming solely for the purposes of argument that Eliot Hoff is not a plaintiff in this action and/or that the counterclaim could be considered an original complaint, Hoff's removal of this action was not timely under 28 U.S.C. § 1446(b) as more than thirty days elapsed between receipt by the plaintiffs (the Hoff's) through service or otherwise of the counterclaim and the removing of the action.