

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

BANK OF FRANKLIN,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 15-00016-KD-B
)	
SE PROPERTY HOLDINGS, LLC,)	
)	
Defendant.)	

ORDER

This action is before the Court on the plaintiff Bank of Franklin’s motion to remand and brief in support, the response filed by defendant SE Property Holdings, LLC (SEPH), Bank of Franklin’s reply, the report and recommendation wherein the Magistrate Judge recommends denying the motion to remand, and the objection filed by SEPH (docs. 8, 9, 19, 24, 26, 27).

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the recommendation to which objection is made, the report and recommendation of the Magistrate Judge, made under 28 U.S.C. § 636(b)(1)(B) and dated March 31, 2015, is **ADOPTED** as the opinion of this Court, with the following exceptions:

- 1) The last paragraph of the section captioned “II. Standard of Review” is STRICKEN; and
- 2) Footnote 2 is STRICKEN.

Accordingly, Bank of Franklin’s motion to remand is **DENIED**.

DONE and **ORDERED** this 27th day of April 2015.

s / Kristi K DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE