

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

<b>MICHAEL and LAKISHA AUTRY,</b>	:	
<b>Plaintiffs,</b>	:	
<b>v.</b>	:	<b>CA 2:12-00509-KD-C</b>
<b>LIBERTY MUTUAL GROUP, INC.,</b>	:	
<b>Defendant.</b>	:	

**ORDER**

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 recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated November 16, 2012 is **ADOPTED** as the opinion of this Court with regard to the Motion to Remand but not as to the Motion to Dismiss.

Accordingly, it is **ORDERED** that the Plaintiff’s Motion to Remand (Doc. 8) is **GRANTED** and this matter is hereby **REMANDED** to the Circuit Court of Wilcox County, Alabama from whence it came.

However, the Court lacks subject-matter jurisdiction to rule on the Defendant’s Motion to Dismiss (Doc. 2) and thus, that portion of the Recommendation is not adopted.

**DONE and ORDERED** this the 7<sup>th</sup> day of **December 2012**.

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