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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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U.S. Bank National Association as Trustee)
for Credit Suisse First Boston 2004-AR4,)

No. CV 10-1692-PHX-JAT

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Plaintiff,

ORDER

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vs.

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Wayne R. Gruninger; et al.,

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Defendants.

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U.S. Bank filed this action for forcible entry and detainer in Maricopa County Superior Court on May 4, 2010. On May 17, 2010, Plaintiff moved to voluntarily dismiss this case in Superior Court, which the Judge granted. Doc. 8-4 at 1. On August 10, 2010, Defendants removed this case to federal court.¹ Plaintiff moved to remand under 28 U.S.C. § 1446(a) because only “pending” cases may be removed from state to federal court. Plaintiffs did not oppose the motion. For the reasons stated in the motion,

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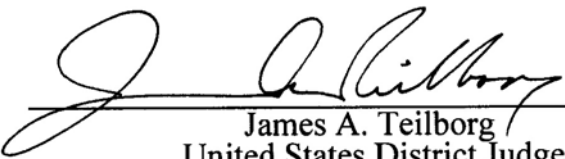
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¹ Defendants presumably did this because Plaintiff erroneously served Defendants with the complaint after it had been dismissed. Doc. 8 at 3.

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IT IS ORDERED granting the motion to remand (Doc. 8). This case is remanded to the Maricopa Country Superior Court.

DATED this 10th day of November, 2010.



James A. Teilborg
United States District Judge