IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

LARRY DAVIS, M.D., *et al*.   **PLAINTIFFS**

v.   **1:11CV00089-BRW**

ANDREA DAVIS   **DEFENDANT**

ORDER

Pending is Defendant's Motion to Remand (Doc. No. 11). Plaintiffs have responded.[1] In October, 2010, Plaintiffs filed a petition to quiet title in the Circuit Court of Fulton County, Arkansas.[2] Plaintiff Clifford Marsh Davis later filed for bankruptcy in the Eastern District of Arkansas and that case is ongoing.[3] Plaintiffs then removed the Fulton County case to this Court under 28 U.S.C. § 1334, which provides that the district courts have original jurisdiction over all cases under Title 11 of the United States Code. Defendant filed a motion to remand.

Plaintiffs maintain that it is preferable to have the same court decide all issues regarding the contested real property, and point out that this case can be transferred to the Bankruptcy Court under 28 U.S.C. §157.[4] Defendant notes that under Local Rule 83.1,[5] this case should be

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[1]Doc. No. 13.

[2]Doc. No. 2.

[3]Case No. 1:11-BK-13620 (Bankr. E.D. Ark).

[4]Doc. No. 14. 28 U.S.C. § 157 provides that each district court "may provide that any or all cases under title 11 . . . shall be referred to the bankruptcy judges for the district."

[5]Local Rule 83.1 reads, in part:
All cases and proceedings arising under Title 11 of the United States Code or arising in or related to a case under Title 11, brought pursuant to 28 U.S.C.§1334, §1412, or §1452, except personal injury or wrongful death tort claims, are referred to the bankruptcy judges for this district as provided in 28 U.S.C. §157(a).

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referred to the Bankruptcy Court.[6] I agree. Accordingly, under 28 U.S.C. §157 and Local Rule

83.1, the Clerk of the Court is directed to transfer this case to the United States Bankruptcy

Court for the Eastern District of Arkansas. Defendant's Motion to Remand (Doc. No. 11) is

DENIED as MOOT.

     IT IS SO ORDERED this 8th day of December, 2011.

            /s/Billy Roy Wilson
            UNITED STATES DISTRICT JUDGE

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[6]Doc. No. 12.