

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

ROBILYN GORDON

PLAINTIFF

v.

Case No. 4:17-cv-00216 KGB

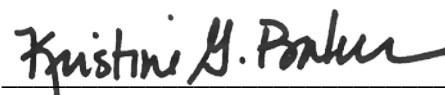
**ENOC SUERO, AMERICAN VAN LINES
INC, and JOHN DOE, Entities Nos. 1-5**

DEFENDANTS

ORDER

Before the Court is plaintiff Robilyn Gordon's motion for remand to state court (Dkt. No. 7). In her motion for remand, Ms. Gordon indicates that she will stipulate that her damages will not meet the \$75,000.00 threshold required for diversity jurisdiction under 28 U.S.C. § 1332. To date, defendants Enoc Suero and American Van Lines, Inc., have answered Ms. Gordon's complaint (Dkt. Nos. 3, 4). Although Ms. Gordon names John Doe defendants one through five in her complaint, there is no indication in the record before the Court that she has identified or attempted service on those defendants or that she is aware of their residency. *See Percherski v. General Motors Corp.*, 636 F.2d 1156 (8th Cir. 1981) (addressing removal in cases that include Doe defendants); *see also* 28 U.S.C. § 1441. Separate defendants Enoc Suero and American Van Lines have no objection to Ms. Gordon's motion for remand. The Court grants the motion for remand to state court, but the Court makes no determination on the issue of the stipulated amount in controversy (Dkt. No. 7). The Court directs the Clerk of Court to remand this action to the Circuit Court of Pulaski County.

So ordered this the 10th day of October, 2017.



Kristine G. Baker
United States District Judge