

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

JASON FILES

PLAINTIFF

v.

Case No. 4:16-cv-04060

UNITED PARCEL SERVICE, INC.; and  
MYRTIS EASTER

DEFENDANT

**ORDER**

Before the Court is the Motion to Remand filed by Plaintiff Jason Files. (ECF No. 10). Plaintiff asserts that the case should be remanded because Defendant Myrtis Easter is a citizen of Pulaski County, Arkansas. “A civil action otherwise removable solely on the basis of the jurisdiction under section 1332(a) of this title [28 USC § 1332(a)] may not be removed if any of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought.” 28 USC § 1441(b)(2). Defendants do not dispute Plaintiff’s assertion that remand is appropriate.

After consideration, the Court finds that Plaintiff’s Motion to Remand (ECF No. 10) should be and hereby is **GRANTED**, and this action is hereby remanded to the Circuit Court of Hempstead County, Arkansas for proper adjudication of the issues in this case.

**IT IS SO ORDERED**, this 15th day of August, 2016.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge