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6 Attorneys for Defendant  
LSF6 MERCURY REO INVESTMENTS TRUST SERIES 2008-1

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

|  |   |  |
|--|---|--|
| 10 FRANCISCO SERRANO,                  | ) | Case No.: 10-CV-07581R(CWx)            |
| 11                                     | ) |  |
| 12 Plaintiff,                          | ) | <b>ORDER REGARDING DEFENDANT</b>       |
| 13 v.                                  | ) | <b>LSF6 MERCURY REO INVESTMENTS</b>    |
| 14 LSFS MERCURY REO INVESTMENTS        | ) | <b>TRUST SERIES 2008-1'S MOTION TO</b> |
| 15 TRUST; AND ANY AND ALL WHO          | ) | <b>DISMISS PLAINTIFF'S COMPLAINT</b>   |
| 16 SEEK ANY TITLE, RIGHTS, AND         | ) | Date: January 3, 2011                  |
| 17 INTEREST IN THE REAL PROPERTY       | ) | Time: 10:00 a.m.                       |
| 18 COMMONLY DESCRIBED AS 14837         | ) | Courtroom: 8                           |
| 19 FLANNER STREET, LA PUENTE,          | ) | Judge: Hon. Manuel L. Real             |
| 20 CALIFORNIA 91744; APN 8212-025-007, | ) |  |
| 21 and DOES 1 THROUGH 100 inclusive,   | ) | Complaint Filed: July 30, 2010         |
| 22                                     | ) | Complaint Removed: October 12, 2010    |
| 23 Defendants.                         | ) | Trial Date: None                       |
| 24                                     | ) |  |
| 25                                     | ) |  |

20 The motion by Defendant LSF6 MERCURY REO INVESTMENTS TRUST SERIES 2008-1  
21 ("LSF6"), erroneously sued herein as LSFS MERCURY REO INVESTMENTS TRUST, to dismiss  
22 the Complaint filed by Plaintiff FRANCISCO SERRANO ("Plaintiff") was heard in Courtroom 8  
23 of the above-mentioned Court on January 3, 2011. Attorney Ethel Bennett appeared on behalf of  
24 LSF6. There was no appearance by or on behalf of Plaintiff. No other appearances were made.

25 Pursuant to the Court's authority under the Federal Rules of Civil Procedure, Rule 12(h)(3),  
26 the action is hereby dismissed with prejudice for lack of subject-matter jurisdiction. As the Court  
27 stated on the record, there is already a judgment in the related unlawful detainer action in state court,

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1 which precludes Plaintiff from bringing the instant action. As a result of the dismissal, Defendant's  
2 motion to dismiss is hereby rendered moot.

3  
4 IT IS SO ORDERED:

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6 DATED: \_JAN. 19, 2011\_



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Hon. Manuel L. Real  
United States Magistrate Judge