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7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
9 WESTERN DIVISION

10 6885

11 FEDERAL NATIONAL MORTGAGE,) No. CV 13-06842-UA
 12 et al.,)
 13 Plaintiffs,) ORDER SUMMARILY REMANDING
 14 v.) IMPROPERLY-REMOVED ACTION
 15 LANCE TURNER, et al.,)
 16 Defendants.)

17 The Court will remand this "Complaint for Unlawful Detainer
 18 Following Foreclosure Sale CCP § 1161a(b)(3)," Case No. 13F01742, to
 19 state court summarily because Defendant removed it improperly.

20 On September 18, 2013, Defendant Deanna Turner, who is not a
 21 named party in what appears to be a routine unlawful detainer action
 22 in California state court, lodged a Notice Of Removal of that action
 23 to this Court and also presented an application to proceed in forma
 24 pauperis. The Court has denied the latter application under separate
 25 cover because the action was not properly removed. To prevent the
 26 action from remaining in jurisdictional limbo, the Court issues this
 27 Order to remand the action to state court.

28 Simply stated, Plaintiff could not have brought this action in

1 federal court in the first place, in that Defendant does not
2 competently allege facts supplying either diversity or federal-
3 question jurisdiction, and therefore removal is improper. 28 U.S.C.
4 § 1441(a); see Exxon Mobil Corp v. Allapattah Svcs., Inc., 545 U.S.
5 546, 563, 125 S.Ct. 2611 (2005). Even if complete diversity of
6 citizenship exists, the amount in controversy does not exceed the
7 diversity-jurisdiction threshold of \$75,000. See 28 U.S.C.
8 §§ 1332, 1441(b). On the contrary, the unlawful-detainer complaint
9 recites that the amount in controversy does not exceed \$10,000.

10 Nor does Plaintiff's unlawful detainer action raise any federal
11 legal question. See 28 U.S.C. §§ 1331, 1441(b).

12 Accordingly, **IT IS ORDERED** that (1) this matter be **REMANDED** to
13 the Superior Court of California, Los Angeles County, Long Beach
14 Courthouse, 415 West Ocean Blvd., Long Beach, California 90802 for
15 lack of subject matter jurisdiction pursuant to 28 U.S.C. § 1447(c);
16 (2) that the Clerk send a certified copy of this Order to the state
17 court; and (3) that the Clerk serve copies of this Order on the
18 parties.

19 **IT IS SO ORDERED.**

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21 DATED: 9/26/13


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23 HONORABLE GEORGE H. KING
24 CHIEF UNITED STATES DISTRICT JUDGE
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