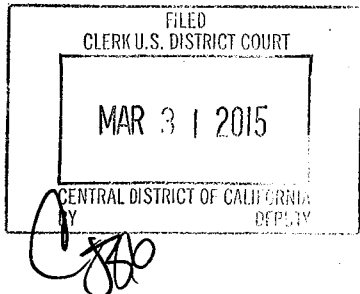


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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

VALUE RENTAL CAR, INC, Plaintiff, v. KENNARD J. SHILOH, Defendant.	}	No. CV 15-2059 JFW (FFMx) ORDER SUMMARILY REMANDING ACTION TO STATE COURT
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The Court will remand this action to state court summarily because defendant removed it improperly.

On March 19, 2015, defendant Kennard J. Shiloh, having suffered a judgement in what appears to be a routine Small Claims Court action in California state court (Los Angeles Superior Court Case No. 13G05350), filed a Notice of Removal of that action to this Court and also presented an application to proceed *in forma pauperis*.

The Court has denied the *in forma pauperis* application under separate cover because the Court lacks jurisdiction over the action. To prevent the action from remaining in jurisdictional limbo, the Court issues this Order to remand the action to state court.

Simply stated, as the Court has previously determined, plaintiff could not have brought this action in federal court in the first place, in that defendant does not competently allege facts supplying either diversity or federal-question jurisdiction, and

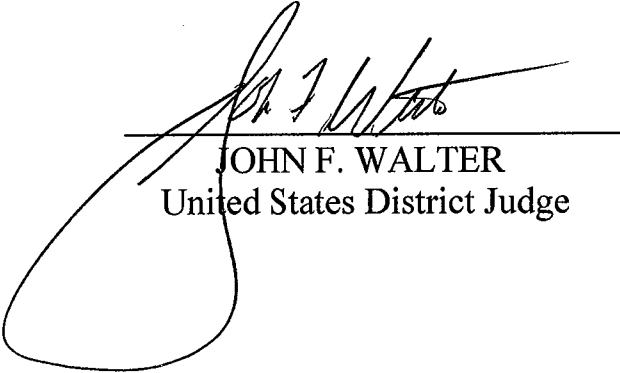
1 therefore removal is improper. 28 U.S.C. § 1441(a); see *Exxon Mobil Corp v. Allapattah*
2 *Svcs., Inc.*, 545 U.S. 546, 563, 125 S. Ct. 2611, 162 L. Ed. 2d 502 (2005). Even if
3 complete diversity of citizenship existed, the amount in controversy does not exceed the
4 diversity-jurisdiction threshold of \$75,000. See 28 U.S.C. §§ 1332, 1441(b). On the
5 contrary, the complaint in the action sought only \$3,700.

6 Nor does plaintiff's action raise any federal legal question. See 28 U.S.C. §§ 1331,
7 1441(b).


8 Accordingly, IT IS ORDERED that (1) this matter be REMANDED to the Superior
9 Court of California, County of Los Angeles, Alhambra Courthouse, 150 West
10 Commonwealth Avenue, Alhambra, California 91801 for lack of subject matter
11 jurisdiction pursuant to 28 U.S.C. § 1447(c); (2) that the Clerk send a certified copy of
12 this Order to the state court; and (3) that the Clerk serve copies of this Order on the
13 parties.

14 IT IS SO ORDERED.

15 DATED: MAR 31 2015

16 
17 _____
18 JOHN F. WALTER
19 United States District Judge

20 Presented by:

21 
22 /S/ FREDERICK F. MUMM
23 FREDERICK F. MUMM
24 United States Magistrate Judge
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