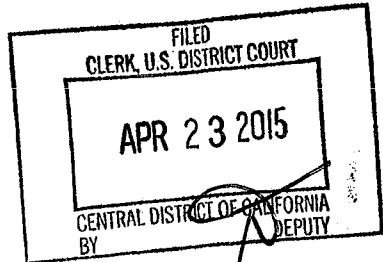


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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DIANE KIM, )  
 ) No. CV 15-2645 RGK (FFMx)  
 )  
 ) Plaintiff, ) ORDER SUMMARILY REMANDING  
 ) v. ) ACTION TO STATE COURT  
 )  
 )  
 ) RUNE ARDEN, an individual, DOES  
 ) 1 to 5, Inclusive, )  
 ) Defendants. )

The Court will remand this action to state court summarily because defendant removed it improperly.

On April 9, 2015, defendant Diane Kim, having been sued in what appears to be a routine unlawful detainer action in California state court (Los Angeles Superior Court Case No. 15R00157), 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 previously determined, plaintiff's unlawful detainer action does not raise any federal legal question, and defendant's anticipated federal law defenses cannot confer federal question jurisdiction. *See* 28 U.S.C. § 1331, 1441(a); *see also Vaden v. Discover Bank*, 556 U.S. 49, 60-61, 129 S. Ct. 1262, 173 L. Ed. 2d 206

1 (2009). Furthermore, even if complete diversity of citizenship existed, the amount in  
2 controversy does not exceed the diversity jurisdiction threshold of \$75,000. See 28  
3 U.S.C. §§ 1332, 1441(b). On the contrary, the Complaint recites that the amount in  
4 controversy does not exceed \$25,000. Therefore, removal was improper. See 28 U.S.C. §  
5 1441(a)-(b).

6 Accordingly, IT IS ORDERED that (1) this matter be REMANDED to the Superior  
7 Court of California, County of Los Angeles, West District, 1725 Main Street, Santa  
8 Monica, California 90401, for lack of subject matter jurisdiction pursuant to 28 U.S.C.  
9 § 1447(c); (2) that the Clerk send a certified copy of this Order to the state court; and (3)  
10 that the Clerk serve copies of this Order on the parties.

11 IT IS SO ORDERED.

12  
13 DATED: APR 23 2015

14  
15   
16 R. GARY KLAUSNER  
17 United States District Judge

18 Presented by:

19  
20 /S/ FREDERICK F. MUMM  
21 FREDERICK F. MUMM  
22 United States Magistrate Judge  
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