17

18

19

20

21

22

23

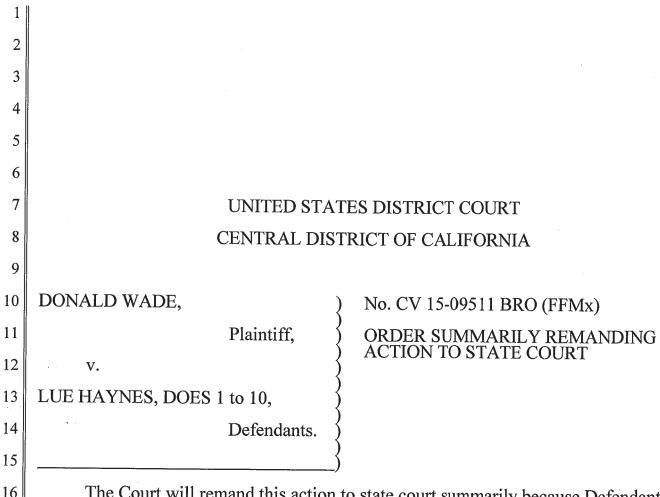
24

25

26

27

28



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

On December 9, 2015, Defendant having been sued in what appears to be a routine unlawful detainer action in California state court (Los Angeles Superior Court Case No. 15UN3754), 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 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 therefore removal is improper. 28 U.S.C. § 1441(a); see Exxon Mobil Corp v. Allapattah

Svcs., Inc., 545 U.S. 546, 563, 125 S. Ct. 2611, 162 L. Ed. 2d 502 (2005). Even if complete diversity of citizenship existed, the amount in controversy does not exceed the diversity-jurisdiction threshold of \$75,000. See 28 U.S.C. §§ 1332, 1441(b). On the contrary, the unlawful-detainer complaint recites that the amount in controversy does not exceed \$25,000. Nor does Plaintiff's unlawful detainer action raise any federal legal question. See 28 U.S.C. §§ 1331, 1441(b). Accordingly, IT IS ORDERED that (1) this matter be REMANDED to the Superior Court of California, County of Los Angeles, Southeast Judicial District, 12720 Norwalk Boulevard, Norwalk, California 90650 for lack of subject matter jurisdiction pursuant to 28 U.S.C. § 1447(c); (2) that the Clerk send a certified copy of this Order to the state court; and (3) that the Clerk serve copies of this Order on the parties. IT IS SO ORDERED. DATED: December 29, 2015 BEVERLY REID O'CONNELL United States District Judge Presented by: FREDERICK F. MUMM United States Magistrate Judge