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FILED
CLERK, U.S. DISTRICT COURT
7/6/2016
CENTRAL DISTRICT OF CALIFORNIA
BY: CW DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

U.S. BANK TRUST, N.A., AS
TRUSTEE FOR LSF9 MASTER
PARTICIPATION TRUST,

Plaintiff,

v.

BERTHA TORRES; FRANCISCO
TORRES; and DOES 1 to 6,
inclusive,

Defendants.

Case No. CV 16-4444-BRO (SSx)

**ORDER SUMMARILY REMANDING
IMPROPERLY-REMOVED ACTION**

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

On June 20, 2016, Defendant Bertha Torres, having been sued in what appears to be a routine unlawful detainer action in California state court, 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 latter application under separate cover because the action was not properly removed. To


1 prevent the action from remaining in jurisdictional limbo, the
2 Court issues this Order to summarily remand the action to state
3 court.

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5 Simply stated, this action could not have been originally
6 filed in federal court because the complaint does not competently
7 allege facts supporting either diversity or federal-question
8 jurisdiction, and therefore removal is improper. 28 U.S.C.
9 § 1441(a); see Exxon Mobil Corp. v. Allapattah Svcs., Inc., 545
10 U.S. 546, 563 (2005).

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12 Accordingly, IT IS ORDERED that (1) this matter be REMANDED
13 to the Superior Court of California, County of Los Angeles, 12720
14 Norwalk Blvd., Room 101, Norwalk, CA 90650, for lack of subject
15 matter jurisdiction pursuant to 28 U.S.C. § 1447(c); (2) the Clerk
16 send a certified copy of this Order to the state court; and (3) the
17 Clerk serve copies of this Order on the parties.

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19 IT IS SO ORDERED.

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21 DATED: July 6, 2016

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23 BEVERLY REID O'CONNELL
24 UNITED STATES DISTRICT JUDGE
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