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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MANDOSER, INC.,  
Plaintiff,  
v.  
BENJAMIN TYLER, et al.,  
Defendants.

Case No. CV 17-3096 AB (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 April 25, 2017, Defendant Lisa Sharae Haney, having been sued in 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 prevent the action from remaining in jurisdictional limbo, the Court issues this Order to remand the action to state court.

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

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

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15           IT IS SO ORDERED.

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17 DATED: May 1, 2017

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20 ANDRE BIROTTE, JR.  
21 UNITED STATES DISTRICT JUDGE  
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