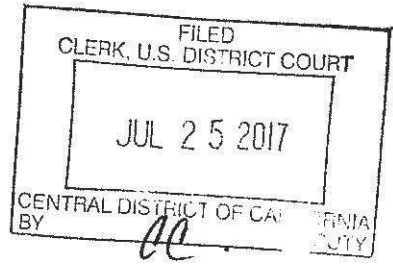


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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MELVIN SANDERS,

Plaintiff,

v.

BETTY BARNER,

Defendants.

Case No. CV 17-5215 R (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 July 14, 2017, Defendant Betty Barner, 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. 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).

7
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 St., Santa Monica, California 90401, for lack of subject
11 matter jurisdiction pursuant to 28 U.S.C. § 1447(c); (2) the Clerk
12 send a certified copy of this Order to the state court; and (3) the
13 Clerk serve copies of this Order on the parties.

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15 IT IS SO ORDERED.

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17 DATED: July 25, 2017.

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19 MANUEL L. REAL
20 UNITED STATES DISTRICT JUDGE
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