

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

JS-6

Case No.	2:25-cv-00970-CAS-Ex	Date	March 10, 2025
Title	Jubilio Escalera v. Alonzo Jose et al		

Present: The Honorable CHRISTINA A. SNYDER

Catherine Jeang
Deputy Clerk

Not Present
Court Reporter / Recorder

N/A
Tape No.

Attorneys Present for Plaintiffs:
Not Present

Attorneys Present for Defendants:
Not Present

Proceedings: (IN CHAMBERS) - ORDER TO REMAND

On December 5, 2019, plaintiff Jubilio Escalera (“plaintiff”) filed this action against defendants Alonzo Jose (“Jose”); Argent Mortgage Co. LLC; “All Persons Unknown Claiming Any Legal or Equitable Right, Title, Estate, Lien or Interest in the Real Property That’s Described in the Complaint That Is Adverse to The Plaintiff’s Title or any Cloud on Plaintiff’s Title Thereto”; and Does 1-10 (“defendants”). Dkt. 1 at 7.

Plaintiff, proceeding *pro se*, asserts twelve claims: (1) fraud; (2) breach of the implied covenant of good faith and fair dealing; (3) quiet title; (4) slander of title; (5) to void and/or cancel *ab initio* the deed of trust and promissory note recorded as instrument number 05-0248292; (6) accounting; (7) breach of fiduciary duty; (8) fraud in the execution of the deed of trust and promissory note number 05-0248292; (9) to cancel a voidable contract under California Revenue & Taxation Code § 23304.1 *et seq.*; (10) a violation of California Corporations Code § 191(C)(7); (11) a violation of California Business & Professions Code § 17200 *et seq.*; and (12) declaratory relief. Id.

On February 4, 2025, defendant Jose removed the case to this Court. Id. at 1. Jose concurrently filed a request to proceed *in forma pauperis*. Dkt. 2. Jose asserts that this Court has jurisdiction on the basis of a federal question. Dkt. 1 at 2-3 (citing 28 U.S.C. § 1331). His notice of removal, titled “Notice of and Application for the Removal of the Unlawful Detainer in State Court Action,” seeks that “relief be granted by removing the unlawful detainer case to Federal Court,” where defendants’ “case can be heard.” Id. at 1, 3.

It appears that this Court lacks subject matter jurisdiction over this action. Despite the references to unlawful detainer in Jose’s notice of removal, plaintiff does not assert a claim for unlawful detainer in the underlying complaint. See dkt. 1 at 7. Even if this was

