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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 Wells Fargo Bank

EDCV 12-568 UA (SH)

11 vs.

12 Donald C. Hall

13
14 Defendants.

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

18 On April 17, 2012 Defendant Nancy G. Meyers, having been sued in
19 what appears to be a routine unlawful detainer action in California state court,
20 lodged a Notice Of Removal of that action to this Court and also presented an
21 application to proceed *in forma pauperis*. The Court has denied the latter application
22 under separate cover because the action was not properly removed. To prevent the
23 action from remaining in jurisdictional limbo, the Court issues this Order to remand
24 the action to state court.

25 Simply stated, Plaintiff could not have brought this action in federal
26 court in the first place, in that Defendants do not competently allege facts supplying
27 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,

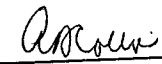
1 563, 125 S.Ct. 2611, 162 L.Ed.2d 502 (2005). Even if complete diversity of
2 citizenship exists, the amount in controversy does not exceed the diversity-
3 jurisdiction threshold of \$75,000. See 28 U.S.C. §§ 1332, 1441(b). On the contrary,
4 the unlawful-detainer complaint recites that the amount in controversy does not
5 exceed \$10,000. Nor does Plaintiff's unlawful detainer action raise any federal legal
6 question. See 28 U.S.C. §§ 1331, 1441(b).

7 Accordingly, IT IS ORDERED that (1) this matter be REMANDED to
8 the Superior Court of California, County of San Bernardino, 14455 Civic Drive,
9 Victorville CA 92392 for lack of subject matter jurisdiction pursuant to 28 U.S.C.
10 § 1447(c); (2) that the Clerk send a certified copy of this Order to the state court; and
11 (3) that the Clerk serve copies of this Order on the parties.

12 IT IS SO ORDERED.

13 DATED: 4/25/2012

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AUDREY B. COLLINS
CHIEF UNITED STATES DISTRICT JUDGE