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NOTE: CHANGES HAVE BEEN  
MADE TO THIS DOCUMENT

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE

FEDERAL NATIONAL MORTGAGE  
ASSOCIATION,

Plaintiff,

v.

CHRISTOPHER ARREDONDO, an  
individual, DIANNA FRANCO, an  
individual, and DOES 1 through 10,  
inclusive,

Defendants.

Case No.: 5:15-cv-00555-ODW (PLAx)  
(State Case No.: MVC1500011)

**ORDER GRANTING PLAINTIFF'S  
EX PARTE APPLICATION FOR AN  
ORDER WITHOUT HEARING  
REMANDING CASE BACK TO  
RIVERSIDE COUNTY SUPERIOR  
COURT**

*Complaint Filed: January 5, 2015*  
*Removal Filed: March 23, 2015*

The Ex Parte Application for an Order Without Hearing Remanding the above-referenced case back to the Riverside County Superior Court, Moreno Valley Courthouse or, in the alternative, for an order shortening time for notice of hearing on FEDERAL NATIONAL MORTGAGE ASSOCIATION's (hereinafter "Plaintiff") Motion to Remand Case came before the Hon. Judge Otis D. Wright, II, United States District Court, in Courtroom 11.

After considering the moving papers and supporting paperwork, including the Declaration of Stephen M. Lewis, filed on May 1, 2015, concurrently therewith, the Court enters the following Order:

**IT IS ORDERED** that:

1. Plaintiff's Ex Parte Application is GRANTED without a hearing.

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Defendant failed to remove within thirty days of receipt of the Summons and Complaint as required by 28 U.S.C. § 1446. Defendant was served with the Summons and Complaint in the State Action on February 9, 2015. (RJN, Exh. 4.) However, the Defendant did not file her Application to Remove until March 23, 2015. Notwithstanding the procedural defect, the Court lacks Federal Question Jurisdiction under 28 U.S.C. § 1332(a), and also subject matter jurisdiction under 28 U.S.C. § 1447(c).

- 2. Plaintiff's Motion to Remand (ECF No. 11) is vacated as MOOT.
- 3. The case is remanded back to the Riverside County Superior Court, Moreno Valley Courthouse. The Clerk of Court will close this case.

Dated: May 5, 2015



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HON. OTIS D. WRIGHT, II  
UNITED STATES DISTRICT JUDGE