

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 12-00738-CJC(MLGx)

Date: May 24, 2012

Title: AMERIPRISE BANK, FSB v. RITA P. DINSMORE THOMAS

PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGEDwayne Roberts
Deputy ClerkN/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

PROCEEDINGS: (IN CHAMBERS) ORDER REMANDING CASE FOR LACK OF SUBJECT MATTER JURISDICTION

On February 3, 2010, Plaintiff filed this action for unlawful detainer against Defendant in California state court. On October 8, 2010, Defendant removed this action to federal court, and on November 8, 2010 the district court remanded the action to state court for lack of subject matter jurisdiction. *See Ameriprise Bank, FSB v. Dinsmore Thomas*, No. SACV 10-01520-DOC (C.D. Cal. Nov. 8, 2010). Defendant again attempted to remove the action to federal court on April 26, 2012, but, on May 3, 2012, Chief Judge of the Central District of California Audrey B. Collins summarily remanded the case on the grounds that the matter did not satisfy the amount in controversy to establish diversity jurisdiction and that it failed to raise any federal legal question. Defendant's third attempt remove this action is again unavailing. Defendant has asserted no new basis for establishing subject matter jurisdiction, and her previous allegations of entitlement to removal remain conclusory and without support. Accordingly, the Court, on its own motion, again REMANDS the case to state court.

Further, the Court hereby advises Defendant that her litigious conduct in filing successive, frivolous removal notices, is causing an undue burden on the Court and imposing needless costs on Plaintiff. The Court now must insist on strict compliance

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with Federal Rule of Civil Procedure 11, and any violation of this rule will result in appropriate sanctions.

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MINUTES FORM 11
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