

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 8:17-cv-133-JLS-KESx

Date: February 2, 2017

Title: David Padua v. Robert Pace, et al.

Present: **Honorable JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE**

Terry Guerrero
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER REMANDING CASE TO ORANGE
COUNTY SUPERIOR COURT, CASE NO. 30-2016-00877484-
CL-UD-CJC**

Plaintiff David Padua filed this unlawful detainer action against Defendants Robert Pace and Therese Pace on September 27, 2016 in Orange County Superior Court. (Compl., Doc. 1.) Defendants removed the case to this Court on the basis of federal question jurisdiction pursuant to 28 U.S.C. § 1331. (Notice of Removal, Doc. 1.) Where a federal district court lacks subject-matter jurisdiction, it must remand the case, and has the discretion to do so *sua sponte*. *See Kelton Arms Condo. Owners Ass’n, Inc. v. Homestead Ins. Co.*, 346 F.3d 1190, 1192 (9th Cir. 2003) (citing 28 U.S.C. § 1447(c)). Defendants have removed this action once before. (*See* Notice of Removal, Case No. 8:16-cv-01992-JLS-KES, Doc. 1.) The Court remanded the action because the requirements for federal question and diversity jurisdiction were not met. (*See* Order, Case No. 8:16-cv-01992-JLS-KES, Doc. 6.) In light of the Court’s previous remand order, the Court *sua sponte* REMANDS this matter to Orange County Superior Court (30-2016-00877484-CL-UD-CJC) and closes this case.

Initials of Preparer: tg