

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No. SACV 17-00532-CJC(DFMx)

Date: April 6, 2017

Title: ARTHUR GROSS III V. WESTPARK MAINTENANCE DISTRICT ET AL.

PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Melissa Kunig
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

PROCEEDINGS: (IN CHAMBERS) ORDER DENYING PLAINTIFF’S *EX PARTE* APPLICATION TO REMAND

Plaintiff filed this case in Orange County Superior Court on March 1, 2017. (Dkt. 1 Ex. 1.) Defendants removed the matter to this Court on March 23, 2017. (Dkt. 1.) Plaintiff’s first cause of action is for “Civil RICO,” under federal law. (Dkt. 1 Ex. 1 ¶¶ 61–64.) Contrary to Plaintiff’s argument, the fact that Civil RICO claims *may* be brought in state court does not defeat Defendants’ removal on the grounds of federal question jurisdiction. (*See* Dkt. 12 at 8.) The Court has *concurrent* jurisdiction over Plaintiff’s claims because his claims include a cause of action brought under Federal law. Therefore, Defendants have the right to remove the case from Orange County Superior Court to this Court pursuant to 28 U.S.C. § 1441 (authorizing defendants to remove civil actions brought in state court if the federal court would have had original jurisdiction over the case). Accordingly, Plaintiff’s *ex parte* application to remand is DENIED.

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