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8	UNITED STATES I	DISTRICT COURT
9	EASTERN DISTRICT OF CALIFORNIA	
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11	TYSON REED; and LINDA REED,	Case No.: 1:16-cv-01838-LJO-JLT
12	Plaintiffs,	ORDER GRANTING
13	V.) PLAINTIFFS' MOTION TO REMAND CASE TO SUPERIOR
14	KERN HIGH SCHOOL DISTRICT;) COURT FOR THE STATE OF
15	KERN HIGH SCHOOL DISTRICT POLICE OFFICER LUIS PENA;	CALIFORNIA, COUNTY OF KERN
16	BRETT BONETTI; and DOES 1 TO 10,)
17	inclusive.) DATE: FEBRUARY 9, 2017 TIME: 8:30 A.M.
18	Defendants.	COURT: 4, 7 TH FLOOR
19		HON. LAWRENCE J. O'NEILL
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ORDER

This motion was noticed for hearing on February 9, 2017. Having reviewed the
parties' papers and arguments in this matter, the Court finds the matter suitable for
decision on the papers pursuant to Local Rule 230(g).

The Court hereby GRANTS Plaintiffs' motion to remand this case to the Superior Court for the State of California, County of Kern, pursuant to 28 U.S.C. §1447(c). The Court finds that Defendants have failed to comply with the "rule of unanimity" under 28 U.S.C. §1446(b)(2)(A), which requires that all served defendants join in or consent to removal, and that Defendant Pena has failed to comply with the required timelines under 28 U.S.C. §1446(b)(2)(B) for filing his own notice of removal. In addition, all Defendants, including Defendant Pena, were served with the motion and failed to file any opposition.

This case is hereby ordered remanded to the Superior Court for the State of California, County of Kern.

The February 9, 2017 hearing is VACATED.

The Clerk of Court is directed to CLOSE THIS CASE.

IT IS SO ORDERED.

Dated: February 3, 2017 /s/ Lawrence J. O'Neill UNITED STATES CHIEF DISTRICT JUDGE