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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DEREK TATE,  
  
  Plaintiff,  
  
  v.  
  
DIANA NAKASHYAN,  
  
  Defendant.

No. 1:19-cv-01211-NONE-EPG (PC)  
  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND REMANDING  
CASE TO STATE COURT  
  
(Doc. No. 11)

Plaintiff Derek Tate proceeds *pro se* in this action against Defendant Diana Nakashyan for claims under California law. Defendant removed the case to this federal court on September 3, 2019. (Doc. No. 1.) On September 20, 2019, plaintiff filed “objections” to defendant’s notice of removal, which the court has construed as a motion to remand the action to state court. (Doc. No. 4.) The parties have briefed the issue. (Doc. Nos. 4, 8.)

On December 17, 2019, the assigned magistrate judge issued findings and recommendations recommending that: “1. [p]laintiff’s objections to [d]efendant’s notice of removal, construed as a motion to remand ([Doc.] No. 4.), be granted and this case be remanded to Kern County Superior Court; 2. [p]laintiff’s Motion for Clarification ([Doc.] No. 10.) be denied as moot; and 3. [t]he Clerk of Court be instructed to close this case.” ([Doc.] No. 11, p. 7.)

The parties were provided an opportunity to file objections to the findings and recommendations. Neither party did so and the time for the filing of any objections has passed.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this  
2 court has conducted a *de novo* review of this matter. Having carefully reviewed the entire file,  
3 the court finds the findings and recommendations to be supported by the record and proper  
4 analysis.

5 Accordingly, IT IS HEREBY ORDERED that

- 6 1. The findings and recommendations issued on December 17, 2019 are ADOPTED in  
7 full (Doc. No. 11);
- 8 2. This matter is HEREBY REMANDED to the Kern County Superior Court for lack of  
9 subject matter jurisdiction;
- 10 3. Plaintiff's Motion for Clarification (Doc. No. 10.) is DENIED AS MOOT; and
- 11 4. The Clerk of Court is instructed to close this case.

12 IT IS SO ORDERED.

13 Dated: April 1, 2020

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16 UNITED STATES DISTRICT JUDGE  
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