(PC) Lamon v. McTaggart et al Doc. 10

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

BARRY LOUIS LAMON,

Plaintiff,

v.

MCTAGGART, *et al.*,

Defendants.

Case No. 1:22-cv-01421-BAM (PC)

ORDER REQUIRING DEFENDANTS TO RESPOND TO PLAINTIFF'S MOTION TO REMAND THIS ACTION TO STATE COURT

(ECF No. 5)

TWENTY-ONE (21) DAY DEADLINE

Plaintiff Barry Louis Lamon ("Plaintiff") is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. This action was removed from Kings County Superior Court on November 3, 2022. (ECF No. 1.)

On December 22, 2022, following an extension of time, Plaintiff filed a motion to remand this action to state court. (ECF No. 5.) Defendants did not file a response to Plaintiff's motion to remand, and the deadline has since expired. Having reviewed Plaintiff's motion, the Court finds it appropriate to obtain a response from Defendants regarding Plaintiff's motion to remand.

Accordingly, IT IS HEREBY ORDERED as follows:

1. Defendants shall file a response to Plaintiff's motion to remand this action to state court, (ECF No. 5), within **twenty-one (21) days** from the date of service of this order; and
2. Plaintiff may file a reply, if any, within **fourteen (14) days** of the date of service of Defendants' response.

IT IS SO ORDERED.

Dated: **January 17, 2023**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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