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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JULIE M. CARLON, and CHRISTINE)	
M. CARLON,)	2:11-cv-00464-GEB-GGH
)	
Plaintiffs,)	
)	<u>ORDER REMANDING CASE</u>
v.)	
)	
TAYLOR, BEAN & WHITAKER MORTGAGE)	
CORPORATION, a business entity;)	
CENTRAL LOAN ADMINISTRATION AND)	
REPORTING, a business entity;)	
and OCWEN LOAN SERVICING, LLC, a)	
business entity; and DOES 1)	
through 100,)	
)	
Defendants.)	
)	

Defendant Ocwen Loan Servicing LLC ("Ocwen") removed this case from state court under 12 U.S.C. § 1452(f), on February 18, 2011. However, this case will be remanded sua sponte since Ocwen has not shown that this case was removable under 12 U.S.C. § 1452(f). This statute prescribes:

[A]ll civil actions to which the [Federal Home Loan Mortgage Corporation ("FHLMC")] is a party shall be deemed to arise under the laws of the United States, and the district courts of the United States shall have original jurisdiction of all such actions, without regard to amount or value; and . . . any civil or other action, case or controversy in a court of a State, or in any court other than a district court of the United States, to which the [FHLMC] is a party may at any time before the trial thereof be removed by the [FHLMC] . . . to the district court of the United States for the

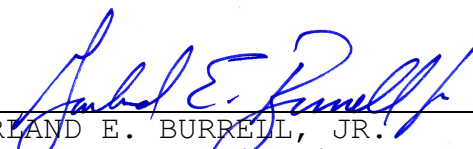
1 district and division embracing the place where the
2 same is pending.

3 12 U.S.C. § 1452(f).

4 Ocwen's following conclusory statements in its removal
5 petition are its only support for removal: the federal court "has
6 original jurisdiction under 12 U.S.C. section 1452(f) [since] [t]his
7 section grants original jurisdiction to United States district courts
8 over [a] civil action to which FHLMC is a party." (Notice of Removal ¶
9 2.) These conclusory statements are woefully insufficient to justify
10 concluding that FHLMC is a party in this case. Nothing in Plaintiffs'
11 Complaint identifies FHLMC as a party.

12 Therefore, this case is remanded to the Superior Court of
13 California, County of Sacramento, from which it was removed.

14 Dated: February 22, 2011

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18 GARLAND E. BURRELL, JR.
19 United States District Judge
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