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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LASALLE BANK NATIONAL
ASSOCIATION AS TRUSTEE
FOR FIRST FRANKLIN
MORTGAGE LOAN TRUST
2007-2, MORTGAGE LOAN
ASSET-BACKED CERTIFICATES,
SERIES 2007-2,

No. 2:11-cv-01033-MCE-DAD

Plaintiffs,

v.

ORDER REMANDING CASE

LAWRENCE C. CRISTOBAL,
IMELDA M. CRISTOBAL,

Defendants.

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Plaintiff filed this unlawful detainer proceeding in the San Joaquin County Superior Court on or about May 4, 2010. On April 18, 2011, almost a year later, Plaintiffs Lawrence and Imelda Cristobal, representing themselves in pro se, removed the action to this Court. Plaintiffs cite federal question jurisdiction as the basis for that removal.

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1 While the Notice of Removal alludes to various federal
2 claims, including alleged violations of the Federal Fair Debt
3 Collection Practices Act ("FDCPA"), the Real Estate Settlement
4 Procedures Act ("RESPA"), and the Truth in Lending Act ("TILA"),
5 examination of the complaint itself, as attached to Plaintiffs'
6 removal papers, shows this is nothing more than an ordinary
7 unlawful detainer proceeding with claims sounding solely in state
8 law. This Court consequently concludes that federal jurisdiction
9 is lacking and remands the matter back to the originating court,
10 the Superior Court of the State of California, County of
11 San Joaquin (Tracy Branch) for further adjudication. The Clerk
12 of this Court is directed to close the file.

13 IT IS SO ORDERED.

14 Dated: May 10, 2011

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17 MORRISON C. ENGLAND, JR.
18 UNITED STATES DISTRICT JUDGE
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