IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

U.S. BANK NATIONAL ASSOCIATION,

Plaintiff, No. 2:13-cv-00163 KJM DAD PS

vs.

ROTONDA LLOPIS; GERALD LLOPIS, ORDER

Defendants.

_____/

Defendants are proceeding pro se in the above-entitled action. The matter was referred to a United States Magistrate Judge under Local Rule 302(c)(21).

On February 5, 2013, the magistrate judge filed findings and recommendations, which were served on defendants and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days after service of the findings and recommendations. The fourteen-day period has expired and defendants have filed objections to the findings and recommendations.

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

While the magistrate judge noted the notice of removal was defective because it was signed by one, not both defendants, defendants have filed with their objections an amended notice of removal that includes both defendants' signatures. "[T]he district court may allow the removing defendants to cure the defect by obtaining joinder of all defendants prior to the entry of judgment." *Destfino v. Reiswig*, 630 F.3d 952, 956-957 (9th Cir. 2011). Despite defendants' cure of this defect, this case must still be remanded for the other reasons explained in the magistrate judge's order.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed February 5, 2013 (Doc. No. 5) are adopted in full;

2. This action is summarily remanded to the Solano County Superior Court; and

3. This case is closed.

DATED: July 31, 2013.

UNITED STATES DISTRICT JUDGE