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

NORMAN SAFLEY, SUZANNE SAFLEY,)	
)	2:13-cv-00448-GEB-CKD
Plaintiffs,)	
)	
v.)	<u>REMAND ORDER*</u>
)	
WELLS FARGO BANK, N.A., as)	
successor in interest to)	
WACHOVIA MORTGAGE and WORLD)	
SAVINGS, FSB; DOES 1 through 50,)	
inclusive,)	
)	
Defendants.)	
_____)	

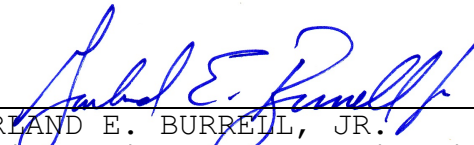
Wells Fargo removed this case from the Superior Court of the State of California in the County of Sacramento, asserting federal subject matter jurisdiction based on diversity of citizenship under 28 U.S.C. § 1332. (ECF No. 1.) Wells Fargo states in its Notice of Removal that Plaintiffs "are citizens of California, based on domicile" and that Wells Fargo is a citizen of South Dakota. (Id.) However, this argument, and the other arguments Wells Fargo makes in support of its removal, (ECF Nos. 1, 13), are unpersuasive in light of the exhaustive analysis of the same issues in Taheny v. Wells Fargo Bank, N.A., 878 F. Supp. 2d 1093 (E.D. Cal. 2012), which this Court finds persuasive and has previously adopted. See Gosal v. Wells Fargo Bank, N.A., No. 2:12-cv-

* This matter is deemed suitable for decision without oral argument. E.D. Cal. R. 230(g).

1 02024-GEB-CKD, 2012 WL 4961696, at *1-2 (E.D. Cal. Oct. 15, 2012)
2 (Burrell, J.) (following Taheny and holding that Wells Fargo is a
3 citizen of South Dakota as well as California); see also, e.g., Morgan
4 v. Wells Fargo Bank, N.A., No. 2:13-cv-00524-GEB-AC, at *1-2 (E.D. Cal.
5 Mar. 27, 2013) (Burrell, J.) (same); Smith v. Wells Fargo Bank, N.A.,
6 No. 2:12-cv-02355-GEB-DAD, 2012 WL 5386362, at *1 (E.D. Cal. Nov. 1,
7 2012) (same).

8 Since both Plaintiffs and Wells Fargo are citizens of
9 California, the Court is without subject matter jurisdiction, and this
10 case is remanded to the Superior Court of the State of California in the
11 County of Sacramento from which it was removed.

12 Dated: April 24, 2013

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16 GARLAND E. BURRELL, JR.
17 Senior United States District Judge
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