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United States District Court
For the Northern District of California

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

JAMES W. JAMES,
Plaintiff,

No. C 10-05407 CRB

**ORDER GRANTING MOTION TO
REMAND**

v.

LITTON LOAN SERVICING, LP, ET AL.,
Defendants.

Pro se Plaintiff James W. James brought suit against his mortgage company, alleging wrongdoing in connection with a loan modification. The Court recently granted the mortgage company's Motion to Dismiss one of his claims, for fraud. See *dk.* 22. Plaintiff has now moved to have the case remanded to state court, asserting for the first time that Defendants' Notice of Removal was incorrect in asserting that he had raised a federal issue. See *dk.* 33. The Court agrees, and therefore, as the Court ruled from the bench at the motion hearing, both GRANTS Plaintiff's Motion and VACATES the earlier order (*dk.*

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1 22).¹

2 **IT IS SO ORDERED.**

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5 Dated: May 9, 2011

6 CHARLES R. BREYER
7 UNITED STATES DISTRICT JUDGE

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¹ See Schur v. L.A. Weight Loss Ctrs., Inc., 577 F.3d 752, 768 (7th Cir. 2009) (remanding with instructions to remand to state court, and vacating earlier orders, upon finding that district court lacked jurisdiction).