

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

REGINA A. FINULIAR,

Case No. C-11-02629 JCS

Plaintiff,

**ORDER REMANDING ACTION TO  
STATE COURT**

v.

BAC HOME LOANS SERVICING, L.P., ET  
AL.,

Defendants.

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This action was originally filed in the Superior Court for the County of San Francisco and removed to federal court on the grounds of federal question jurisdiction. Pursuant to the Court’s authority under 28 U.S.C. § 1367(c)(3), whereby a court may decline to exercise supplemental jurisdiction where it “has dismissed all claims over which it has original jurisdiction,” the Court orders this action remanded to the Superior Court for the County of San Francisco. On September 21, 2011, the Court dismissed all of Plaintiff’s state and federal claims in her original complaint, granting leave to amend within thirty days. Plaintiff filed a First Amended Complaint on October 21, 2011 that does not allege any federal claim and is based solely on California state law. In the absence of any federal claims, it is in the interest of “economy, convenience, fairness, and comity” to remand the remaining state law claims for adjudication. *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350 (1988).

IT IS HEREBY ORDERED that Plaintiff’s remaining state law claims are REMANDED to the Superior Court for the County of San Francisco. Because the Court declines to exercise supplemental jurisdiction over this action, it does not rule on Defendant’s Motion to Dismiss

1 Plaintiff's First Amended Complaint ("Motion"), which is DENIED without prejudice. The hearing  
2 on the Motion set for February 17, 2012 is thereby VACATED.

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4 IT IS SO ORDERED.

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6 Dated: January 24, 2012

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9 JOSEPH C. SPERO  
10 United States Magistrate Judge  
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