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**\*\*E-filed 12/28/11\*\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WELLS FARGO BANK, N.A.,

No. C 11-3830 RS

Plaintiff,

v.

**ORDER GRANTING PLAINTIFF'S  
MOTION FOR LEAVE TO DISMISS  
ACTION VOLUNTARILY**

KEN LANG, et al.,

Defendants.

\_\_\_\_\_ /

This action was removed from Alameda Superior Court, where it was pending as an unlawful detainer action, Case No. HG11577800. Plaintiff now seeks leave of court under Rule 41(a)(2) of the Federal Rules of Civil Procedure to dismiss the action voluntarily. The time for submitting opposition to plaintiff's request has expired, and none has been filed. Pursuant to Civil Local Rule 7-1(b), plaintiff's motion is suitable for disposition without oral argument, and the hearing set for January 12, 2012 is vacated.

While this Court must be satisfied that jurisdiction exists before issuing substantive rulings, there appears to be no requirement that it conduct a jurisdictional inquiry before granting a plaintiff's request for voluntary dismissal without imposing conditions. Accordingly, without any

1 implication that defendants had a tenable basis to remove this action to this Court, plaintiff's motion  
2 for leave to dismiss voluntarily is granted. The Clerk shall close the file.

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4 IT IS SO ORDERED.

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6 Dated: 12/28/11

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RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE

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**THIS IS TO CERTIFY THAT A HARD COPY OF THIS ORDER WAS MAILED TO:**

Ken Lang  
Deborah I. Lang  
27920 Quercus Court  
Hayward, CA 94542

DATED: 12/28/11

/s/ Chambers Staff  
Chambers of Judge Richard Seeborg