

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

DEUTSCHE BANK NATIONAL TRUST,

No. C 12-298 SI

Related case: C 11-5687 SI

Plaintiff,

v.

**ORDER RELATING CASE TO C 11-5687
SI; GRANTING APPLICATION TO
PROCEED *IN FORMA PAUPERIS*;
REMANDING CASE TO CONTRA
COSTA SUPERIOR COURT**

D. JONATHAN AGUILAR, et al.,

Defendants.

On January 24, 2012, Magistrate Judge Ryu issued a *sua sponte* Judicial Referral for Purposes of Determining Relationship of Cases, referring this case for a determination of whether it is related to *Deutsche Bank Trust Company Americas v. Aguilar et al.*, C 11-5687 SI. The Court finds that these cases are related under the Civil Local Rules because C 11-5687 SI and C 12-298 SI are identical; in both cases, defendant Delia Aguilar removed the same unlawful detainer action from the Superior Court for the County of Contra Costa.

On January 12, 2012, the Court remanded C 11-3587 SI to state court, finding that this Court lacked jurisdiction over the unlawful detainer case. Docket No. 13 in C 11-5687 SI. On January 19, 2012, defendant again removed the unlawful detainer case, asserting the same defective grounds for jurisdiction that defendant previously asserted in C 11-5687 SI. *Compare* Docket No. 1 in C 11-5687 SI and Docket No. No. 1 in C 12-298 SI.

For all of the reasons set forth in the Court's January 12, 2012 order in C 11-5687 SI, this Court

1 lacks jurisdiction over this unlawful detainer action, and this case is hereby REMANDED to the
2 Superior Court for the County of Contra Costa. Defendants are directed not to remove this action again,
3 and are informed that any future removal of this unlawful detainer action will be assigned to this Court.
4

5 **IT IS SO ORDERED.**

6
7 Dated: January 25, 2012



SUSAN ILLSTON
United States District Judge