

UNITED STATES DISTRICT COURT
Northern District of California

GROSS MORTGAGE CORPORATION,

No. C 12-4335 MEJ

Plaintiff,

ORDER REMANDING CASE

v.

SABIR AL-MANSUR,

Defendant.
_____ /

On August 17, 2012, Defendant Sabir Al-Mansur filed a Notice of Removal from Alameda County Superior Court. However, Defendant subsequently filed a "Notice of Voluntary Dismissal." Dkt. No. 6. As there is no authority by which a defendant can dismiss a case without the plaintiff's consent, the Court shall construe Defendant's notice as a request for leave to withdraw the notice of removal. Good cause appearing, the Court GRANTS Defendant's request and REMANDS this case to the Alameda County Superior Court.

IT IS SO ORDERED.

Dated: August 27, 2012



Maria-Elena James
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

GROSS MORTGAGE,

Plaintiff,

v.

SABIR AL-MANSUR et al,

Defendant.

Case Number: CV12-04335 MEJ

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 27, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Sabir Al-Mansur
2419 Market Street
Oakland, CA 94607

Dated: August 27, 2012

Richard W. Wieking, Clerk
By: Rose Maher, Deputy Clerk