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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

SABIR AL-MANSUR et al,

Defendant.

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

11 That on August 27, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said
12 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.

14 Sabir Al-Mansur
2419 Market Street
15 Oakland, CA 94607

16 | Dated: August 27, 2012

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