

United States District Court
For the Northern District of California

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

NORCAL HOMES INVESTMENT GROUP, LLC,)	Case No. 12-4938-SC
)	
Plaintiff,)	ORDER ADOPTING MAGISTRATE
)	JUDGE'S RECOMMENDATION AND
)	<u>REMANDING CASE</u>
v.)	
)	
MINERVA S. TAMAYO, RICARDO TAMAYO, and DOES 1-X,)	
)	
Defendants.)	
)	

On September 21, 2012, Defendants Minerva S. Tamayo and Ricardo Tamayo (collectively, "Defendants") removed this unlawful detainer action from California Superior Court to this Court. ECF No. 1. The case was assigned to United States Magistrate Judge Nathanael Cousins. Neither party affirmatively consented to Judge Cousins's jurisdiction. See 28 U.S.C. § 636(c); Civ. L.R. 73-1. Accordingly, on October 10, 2012, Judge Cousins issued an order referring the case to the undersigned, along with a recommendation that the case be remanded back to the state court where it was filed. ECF No. 6 ("R&R"). The R&R was electronically served on Defendants at the time of issuance. Accordingly, under Federal Rules of Civil Procedure 6(a), 6(d), and 5(b)(2)(E), Defendants had until October 29, 2012 to object.

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Defendants have not objected and the time to do so has elapsed. The Court, having reviewed the R&R and found it thorough and well-reasoned, adopts it as the Court's order. Accordingly, the Court REMANDS this case to the California Superior Court in and for the County of Contra Costa.

IT IS SO ORDERED.

Dated: November 13, 2012


UNITED STATES DISTRICT JUDGE