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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

US BANK NATIONAL ASSOCIATION,

No. C-12-5085 EMC

Plaintiff,

v.

**ORDER GRANTING PLAINTIFF'S
MOTION TO REMAND**

GINA M. O'KEEFE,

(Docket Nos. 4, 11)Defendant.

Plaintiff filed an *ex parte* motion to remand this case to state court on October 15, 2012. The Clerk of the Court issued a notice to Defendant informing her that any response to the motion should be filed within 14 days. This time has passed, and Plaintiff has failed to file a response.

I. FACTUAL & PROCEDURAL HISTORY

On July 22, 2011, Plaintiff US Bank National Association brought an unlawful detainer action against Defendant Gina O'Keefe in the Superior Court of California, County of Sonoma. Docket No. 1. Plaintiff's complaint alleged that Plaintiff had purchased the subject property in a foreclosure sale, and that Defendants continued to occupy the subject property after the foreclosure sale. Docket no. 1 at 14.

Plaintiff's complaint was served upon Defendant on August 8, 2012. Motion ¶ 4. On October 1, 2012, Defendant removed the case to federal court on the grounds that Plaintiff's complaint presented federal questions. Docket No. 1 at 3 ¶ 6. On October 15, 2012, Plaintiff filed a motion to remand back to state court.

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III. CONCLUSION

For the reasons stated above, the Court **GRANTS** Plaintiff's application for remand of this action to state court. Accordingly, this case is **ORDERED** remanded to state court from which it was removed.

This order disposes of Docket Nos. 4 and 11.

IT IS SO ORDERED.

Dated: November 13, 2012



EDWARD M. CHEN
United States District Judge