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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DEUTSCHE BANK TRUST COMPANY
AMERICAS AS TRUSTEE,

No. C 13-3564 RS

Plaintiff,

ORDER REMANDING ACTION

v.

SYLVESTER BRADFORD, et al.,

Defendants.

This is now at least the fourth time defendant Sylvester Bradford, aka John Robinson, has removed this unlawful detainer action from Alameda County Superior Court. *See* Case Nos. 12-4971 RS, 12-1077 RS, and 13-03020 RS.¹ As explained in each prior order of remand, this court *lacks jurisdiction* over the unlawful detainer proceedings. The most recent remand order expressly warned Bradford that “[a]ny further removal attempt will be deemed a knowing and deliberate violation of this order and will expose Bradford to contempt of court penalties.” Given that this

¹ While more than one state court case number appears in the record, there is no apparent dispute that all the matters relate to the same basic attempt by the plaintiff to obtain possession of the subject real property. Additionally, it appears there may have been at least one earlier related removal attempt by Bradford. *See* Case No. 12-0744 CRB.

1 removal is legally frivolous for reasons previously explained, and that it was undertaken in direct
2 violation of an express court order, this action is hereby remanded to Alameda County Superior
3 Court.

4 Bradford’s current removal notice complains that the prior remand orders have denied him
5 his right to bring claims in federal court. Specifically, Bradford asserts that he intends to file a
6 “case/complaint” against Deutsche Bank and that the prior orders have somehow prevented him
7 from doing so. Bradford is mistaken. Nothing in any of the prior orders prohibits Bradford from
8 filing a complaint in federal court against Deutsche Bank or any other defendant. If Bradford
9 genuinely believes he has claims against Deutsche Bank, and that there is either federal question or
10 diversity jurisdiction to bring those claims in federal court, he may file a complaint at any time.
11 Such claims theoretically could relate to the same real property and loan transaction that underlies
12 the unlawful detainer. All Bradford is legally prohibited from doing is continuing to attempt to
13 *remove the unlawful detainer action to this court.* There simply is no jurisdiction to hear the
14 unlawful detainer case here, regardless of whether Bradford may have claims against Deutsche Bank
15 or others relating to the same property and loan transaction. Repeatedly filing notices of removal
16 will not change that fundamental fact.

17 In the event Bradford does file a separate action in this Court asserting affirmative claims
18 against Deutsche Bank, it will be randomly assigned to a judicial officer. Further attempts to
19 remove the unlawful detainer will continue to subject Bradford to penalties for violating express
20 court orders.

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23 IT IS SO ORDERED.

24 Dated: 8/9/13



25 RICHARD SEEBORG
26 UNITED STATES DISTRICT JUDGE
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THIS IS TO CERTIFY THAT A COPY OF THIS ORDER WAS MAILED TO:

Sylvester Bradford
6600 Brann Street
Oakland, CA 94605

DATED: 8/9/13

/s/ Chambers Staff_____

Chambers of Judge Richard Seeborg