

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

EFRAIN ARIZA,

Plaintiff,

v.

MARTHA SUE SKINNER,

Defendant.

Case No. [17-cv-00546-MMC](#)

**ORDER ADOPTING REPORT AND  
RECOMMENDATION; REMANDING  
ACTION TO STATE COURT;  
GRANTING APPLICATION TO  
PROCEED IN FORMA PAUPERIS**

United States District Court  
Northern District of California

Before the Court is a Report and Recommendation, filed February 16, 2017, in which Magistrate Judge Donna M. Ryu recommends that the Court remand the above-titled action to state court, for lack of subject matter jurisdiction. No party has filed an objection or other response to the Report and Recommendation. Having read and considered the Report and Recommendation, and having considered the matter de novo, the Court rules as follows:

1. As it appears defendant lacks the financial resources to pay the filing fee, defendant's application to proceed in forma pauperis is hereby GRANTED.

2. For the reasons stated in the Report and Recommendation, the Court finds it lacks subject matter jurisdiction over the complaint, and, accordingly, the above-titled action is hereby REMANDED to the Superior Court of the State of California, in and for the County of Marin.

**IT IS SO ORDERED.**

Dated: March 9, 2017

  
MAXINE M. CHESNEY  
United States District Judge