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E-Filed 8/12/2010

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

FIRST FEDERAL BANK OF CALIFORNIA,

Plaintiff,

v.

PEPITO C. LIM,

Defendant.

Case Number C 10-3199 JF (HRL)

ORDER ADOPTING REPORT AND
RECOMMENDATION TO REMAND

[re: docket no. 5]

On July 29, 2010, Magistrate Judge Howard R. Lloyd filed a Report and Recommendation that this Court summarily remand the instant action to the Santa Clara Superior Court.¹ No objections have been filed. The Court has reviewed Judge Lloyd’s recommendation as well as the record in this case in conformity with 28 U.S.C. § 636(b)(1), Federal Rule of Civil Procedure 72(b), and Civil Local Rule 72-3. The Court concurs with and adopts in its entirety the Report and Recommendation of Judge Lloyd. The action is hereby remanded. The Clerk shall transmit the file to the Santa Clara Superior Court.

¹ This represents the second time that Defendant Pepito Lim has attempted to remove the instant unlawful detainer action from the Santa Clara Superior Court and the second time that Judge Lloyd has recommended that this Court remand the case.

1 IT IS SO ORDERED.

2 DATED: 8/12/2010

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JEREMY FOGEL
United States District Judge

1 Copies of Order served on:

2 Pepito C Lim

3 1955 Hogan Drive

4 San Jose, CA 95054

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