

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ROLDAN VIGIL, et al.,  
Plaintiffs,  
v.  
SOFIA VASQUEZ, et al.,  
Defendants.

Case No. 17-CV-02614-LHK  
**ORDER ADOPTING REPORT AND  
RECOMMENDATION RE REMAND**  
Re: Dkt. No. 5

On May 5, 2017, pro se Defendants Sofia Vasquez, Leopoldo Cerritos, and Lorena Urbina Lopez (“Lopez”) removed this unlawful detainer case to this federal court from Monterey County Superior Court, ECF No. 1, 4, and Lopez filed a motion for leave to proceed in forma pauperis, ECF No. 2. This case was referred to Magistrate Judge Howard R. Lloyd for initial screening review. On May 9, 2017, Judge Lloyd issued an order terminating Lopez’s motion for leave to proceed in forma pauperis. ECF No. 5. In the same order, Judge Lloyd made a Report and Recommendation that a District Judge remand this case for lack of subject matter jurisdiction, and ordered the Clerk of the Court to reassign this case to a District Judge. *Id.* This case was reassigned to the undersigned judge on May 9, 2017. ECF No. 6.

Judge Lloyd’s Report and Recommendation was served on all parties on May 9, 2017.

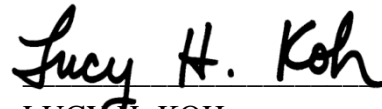
Judge Lloyd stated in the Report and Recommendation that “[a]ny party may serve and file objections to this report and Recommendation within fourteen days after being served.” ECF No. 5 at 3. No objections have been filed, and the time to file objections of fourteen days has expired. *See* Fed. R. Civ. P. 72(b)(2).

Having reviewed the Report and Recommendation, as well as the record in this case, the court finds that the Report and Recommendation is well-founded in fact and in law and, therefore, adopts the Report and Recommendation. Accordingly, this case is REMANDED to the Monterey County Superior Court.

The Clerk shall close the file.

**IT IS SO ORDERED.**

Dated: May 26, 2017



LUCY H. KOH  
United States District Judge