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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

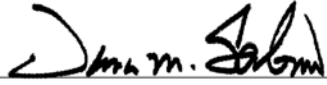
E\*TRADE BANK,  
  
vs.  
CARLEEN M. KELLER, and Does 1  
through 5, inclusive,  
  
Defendants.

CASE NO. 12cv2852 DMS (KSC)  
**ORDER REMANDING CASE TO STATE  
COURT**

On November 29, 2012, Susan Garcia, proceeding *pro se*, filed a Notice of Removal of this case from San Diego Superior Court, asserting the existence of federal question jurisdiction. Ms. Garcia, however, is not a party to the underlying case. Accordingly, she has no right to remove this case. *See* 28 U.S.C. § 1441(a) (stating defendants have right of removal). Absent removal by a party to the case, the Court remands this case to state court. The Clerk of Court shall close this case.

**IT IS SO ORDERED.**

DATED: April 26, 2013

  
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HON. DANA M. SABRAW  
United States District Judge