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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

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11 JULIE JOY,

12 Plaintiff,

13 v.

14 THE MORTGAGE LAW FIRM,
15 PLC, et al.

16 Defendants.

Case No.: 15cv2735 BTM(NLS)

ORDER REMANDING CASE

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18 On February 14, 2017, the Court issued an order to show cause (“OSC”)
19 requiring Defendants to demonstrate why this mortgage relief action initiated in
20 state court should not be remanded for lack of subject matter jurisdiction. (ECF
21 No. 24.) Defendants were given until February 21, 2017, to respond to the OSC.
22 See id. As of the date of this order, only Seterus, Inc. and Federal National
23 Mortgage Association have filed a response, which simply indicates they do not
24 object to remand. (ECF No. 25.)


25 The removing defendant bears the burden of establishing that removal is
26 proper, and the Court resolves all ambiguity in favor of remand to state court.
27 Matheson v. Progressive Specialty Ins. Co., 319 F.3d 1089, 1090 (9th Cir. 2003).
28 For the reasons stated in the OSC, and based on the lack of substantive response

1 to the OSC, Defendants have failed to meet this burden. The Court therefore finds
2 it lacks subject matter jurisdiction over this action.

3 Therefore, the Court REMANDS this action to the Superior Court of San
4 Diego, County of San Diego.

5 **IT IS SO ORDERED:**

6 Dated: March 3, 2017

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8 Barry Ted Moskowitz, Chief Judge
9 United States District Court

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