

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Philip A. Brimmer**

Civil Action No. 09-cv-00506-PAB

ELLY LORENTZEN,

Plaintiff,

v.

DAVID P. LORENTZEN,

Defendant.

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**ORDER**

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This matter is before the Court on defendant David P. Lorentzen's motion to reconsider ("Defendant's Motion") [Docket No. 8] and petition for writ of habeas corpus ("Defendant's Petition") [Docket No. 3]. Defendant's Motion must be denied as it seeks review of this Court's remand for lack of subject matter jurisdiction "to the State court from which it was removed," which "is not reviewable on appeal or otherwise." 28 U.S.C. § 1447(d). Accordingly, Defendant's Petition will not be considered as the case has been closed for lack of subject matter jurisdiction. In any event, a petition for writ of habeas corpus should be filed as a separate action naming the appropriate respondent.

Therefore, it is

**ORDERED** that defendant David P. Lorentzen's motion to reconsider [Docket No. 8] and petition for writ of habeas corpus [Docket No. 3] are DENIED.

DATED November 16, 2009.

BY THE COURT:

s/Philip A. Brimmer  
PHILIP A. BRIMMER  
United States District Judge