

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.

ORDER

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