

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 12-cv-02830-WYD-MJW

JOSHUA CAMPUZANO,

Plaintiff,

v.

AMERICAN STANDARD INSURANCE COMPANY OF WISCONSIN,

Defendant.

ORDER

THIS MATTER is before the Court on the Stipulated Motion for Remand to State Court filed December 6, 2012. The motion states that Plaintiff has voluntarily elected to dismiss the second claim for relief and that the parties have agreed that the case should be remanded to state court for resolution.

I note in reviewing the motion that the second claim for relief for unreasonable denial of payment of insurance benefits asserted in the original Complaint was deleted from the Amended Complaint accepted for filing on December 5, 2012. Thus, there is no need for the Court to dismiss this claim. I further note that a remand of the case is appropriate pursuant to 28 U.S.C. § 1447(c) as the only claim asserted is a state law claim for breach of an insurance contract. Accordingly, it is

ORDERED that the Stipulated Motion for Remand to State Court is **GRANTED**.
This case shall be **REMANDED** to the District Court, Denver County, Colorado.

Dated: December 6, 2012

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge