

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

Civil Action No. 13-cv-01176-PAB

LEE M. SIMMONS,

Plaintiff,

v.

JAMES W. LINDELL, individually, and
LINDELL REAL ESTATE, LLC, a Colorado limited liability company,

Defendants.

ORDER

This matter comes before the Court on plaintiff's Uncontested Motion to Remand [Docket No. 11]. It is undisputed that defendant James W. Lindell is a citizen of the State of Colorado, see Docket No. 1 at 3, ¶ 8, and thus removal to this Court on the basis of diversity jurisdiction was improper. See 28 U.S.C. § 1441(b)(2). Plaintiff requests that this matter be remanded to state court and certifies that defendants do not object. Accordingly, it is

ORDERED that this case is **REMANDED** to the District Court of Larimer County, Colorado, where it was filed as Case No. 2013-CV-30454.

DATED May 17, 2013.

BY THE COURT:

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