

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 15-cv-02378-REB-NYW

JOHN HEWITT,
MAUREEN O'HARE,

Plaintiffs,

v.

KENNETH S. SOULE,
PINNACLE REAL ESTATE SERVICES, INC.,
JULIE MAEDA,
THE HAVEN TEAM, LLC,

Defendants.

**ORDER ADOPTING RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

This matter is before me on the following: (1) the **Unopposed Motion for Remand** [#8]¹ filed November 3, 2015; and (2) the related **Recommendation of United States Magistrate Judge** [#14] filed November 30, 2015. No objections to the recommendation were filed. Therefore, I review the recommendation for plain error only. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10th Cir. 2005). Finding no error, much less plain error, in the recommendation, I find and conclude that recommendation should be approved and adopted.

¹ “[#8]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

On November 2, 2015, the magistrate judge issued an order to show cause [#7] to the parties directing them to show cause why this case should not be remanded to the state court where it was filed initially. The magistrate judge noted that the record does not establish the amount in controversy necessary to establish diversity jurisdiction under 28 U.S.C. § 1332. In response to the order to show cause, the defendants filed the **Unopposed Motion for Remand** [#8] now at issue. I concur with the analysis and conclusions detailed by the magistrate judge in her recommendation. Thus, I approve and adopt the recommendation.

THEREFORE, IT IS ORDERED as follows:

1. That the **Recommendation of United States Magistrate Judge** [#14] filed November 30, 2015, is approved and adopted as an order of this court; and
2. That this case is remanded to the District Court for Arapahoe County, Colorado, where it was filed initially as 2015CV32459.

Dated April 13, 2016, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge