

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

WOMACK ELECTRIC COMPANY, INC.,

Plaintiff,

v.

Case No. 8:13-cv-1624-T-33TBM

CURRY CONTROLS COMPANY, INC.,

Defendant.

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ORDER

This matter comes before the Court sua sponte. On June 21, 2013, Curry Controls Company removed this action from the Superior Court of DeKalb County, Georgia to this Court on the basis of diversity jurisdiction. (Doc. # 1). However, 28 U.S.C. § 1441(a) provides: "[A]ny civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or defendants, to the district court of the United States **for the district and division embracing the place where such action is pending.**" (Emphasis added).


Removal of a DeKalb County, Georgia case to this Court is improper under the aforementioned statute. In the interests of justice, pursuant to 28 U.S.C. § 1406(a), the Court transfers this action to the United States District Court for the Northern District of Georgia, Atlanta Division, as that is the district and division embracing DeKalb County, Georgia.

Accordingly, it is

ORDERED, ADJUDGED, and DECREED:

- (1) The Clerk is directed to transfer this case to the United States District Court for the Northern District of Georgia, Atlanta Division.
- (2) After transfer has been effected, the Clerk shall close the case.

DONE and ORDERED in Chambers, in Tampa, Florida, this 1st day of July, 2013.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies: All Counsel of Record