

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

US BANK NATIONAL  
ASSOCIATION AS TRUSTEE,

Plaintiff,

v.

ANTHONY CLARK, et al.,

Defendants.

CIVIL ACTION FILE  
NO. 1:11-CV-639-TWT

ORDER

This is a dispossessory action wrongfully removed to this Court. It is before the Court on the Report and Recommendation [Doc. 2] of the Magistrate Judge recommending remanding the action for lack of subject matter jurisdiction. The Court approves and adopts the Report and Recommendation as the judgment of the Court. This action is remanded to the State Court of DeKalb County. The Defendant is directed to post a \$10,000 bond at the time of filing any further removal of this state court action, so that any subsequent award of attorney's fees and sanctions against the removing parties will be covered in the event another ungrounded removal of this action is attempted. In the event the Defendant does not post such a bond upon re-filing, the Clerk shall bring the filing to the attention of the Court along with an order

for summary remand and for consideration of an award of sanctions. See Matthew v. Country Wide Home Loans, No. 1:07-CV-1465-TWT, 2007 WL 4373125, at \*1 (N.D. Ga. Dec. 11, 2007).

SO ORDERED, this 6 day of April, 2011.

/s/Thomas W. Thrash  
THOMAS W. THRASH, JR.  
United States District Judge