

**United States District Court
for the Southern District of Georgia
Waycross Division**

TRENT KNIGHT and JENNIFER
KNIGHT, both Individually and
as Surviving Parents of Ella
Knight,

Plaintiffs,

v.

JAVIER NUNEZ; FALCON
DIRECTIONAL DRILLING, INC.;
WINDSTREAM GEORGIA TELEPHONE,
LLC; CORINA MELNICIUC; and
ILC TELECOM, INC.,

Defendants.

CV 524-031

ORDER

Before the Court is the Parties' consent motion to amend the complaint and remand this case. Dkt. No. 14. The motion is **GRANTED**.

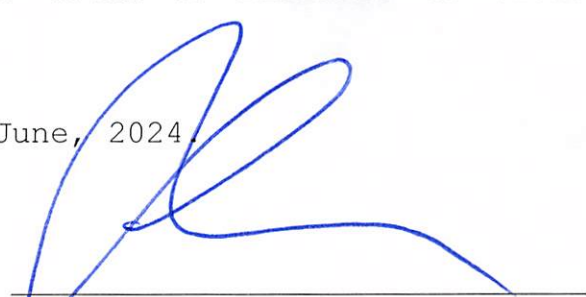
Plaintiffs initiated this action in Brantley County Superior Court on December 29, 2023. Dkt. No. 1-2. Defendants removed the case to this Court on the basis of federal question jurisdiction only. Dkt. No. 1 at 2. The Parties agree that complete diversity does not exist here. Dkt. No. 14 at 1.

In their consent motion, the Parties represent that Plaintiffs have agreed to dismiss without prejudice their federal claims against Defendants. Id. at 2. Attached to the

motion is Plaintiffs' proposed amended complaint, which, indeed, lacks a basis for federal question jurisdiction. Dkt. No. 14-3. The Parties have consented to the filing of the proposed amended complaint. Dkt. No. 14 at 2. The Parties have also consented to this case being remanded upon the filing of the proposed amended complaint. Id.

After consideration and for good cause shown, the motion, dkt. no. 14, is **GRANTED**. The Clerk is **DIRECTED** to docket the proposed amended complaint, dkt. no. 14-3, as Plaintiffs' amended complaint. Upon said filing, the proposed amended complaint will become the operative pleading in this matter. At that time, this Court will lack subject matter jurisdiction to decide this case. Therefore, this case shall then be **REMANDED** to Brantley County Superior Court. The pending motion to dismiss, dkt. no. 5, and motion to stay, dkt. no. 10, are **DISMISSED without prejudice**. The Clerk is **DIRECTED** to close this case.

SO ORDERED, this 4 day of June, 2024.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA