

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

DONNA K. and FRANK T. PEARSON,

Plaintiffs,

v.

HSBC BANK, *et al.*,

Defendants.

Case No. 10-cv-959-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiffs Donna and Frank Pearson’s Motion for Removal (Doc. 7). Specifically, the Pearsons seek to remove a state court action in which they are a party (Cumberland County Case No. 10-SC-118).

The Pearsons fail to provide any details of the state court case, including whether they are acting as plaintiffs or defendants therein. This obvious lack of detail, however, is ultimately of no consequence. If the Pearsons are acting as plaintiffs in the state court litigation, they have cited no authority¹ to support the proposition that this Court can independently divest a state court of jurisdiction over one of its cases. And, if the Pearsons are acting as defendants in the state court litigation, they have obviously not followed the proper procedures governing removal. *See* 28 U.S.C. § 1441, *et seq.* (2006).

For these reasons, the Court **DENIES** the instant motion (Doc. 7).

IT IS SO ORDERED.

DATED: December 14, 2010

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE

¹And the Court can think of none.