

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

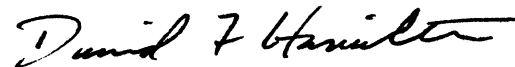
STEVEN JALOZA and SALVATORE)	
FRADELLA,)	
)	
Plaintiffs,)	
)	Case No. 1:07-cv-773-DFH-JMS
v.)	
)	
JOSEPH NEWMAN, et al.,)	
)	
Defendants.)	

ORDER OF REMAND

Plaintiffs have moved to remand this action to state court because the removal relied upon the court’s diversity jurisdiction, and at least two of the removing defendants are citizens of Indiana. Citizens of the forum state may not remove based on diversity jurisdiction. See 28 U.S.C. § 1441(b). Counsel for defendants have advised the court staff they do not intend to respond to the motion. Accordingly, the motion to remand is hereby GRANTED, and this action is hereby REMANDED to the Marion Circuit Court.

So ordered.

Date: June 20, 2007



DAVID F. HAMILTON, JUDGE
United States District Court
Southern District of Indiana

Copies to:

David W. Gray
Lewis & Kappes, P.C.
dgray@lewis-kappes.com

Gary P. Price
Lewis & Kappes, P.C.
gprice@lewis-kappes.com

Clayton A. Graham
Coleman Graham & Stevenson, LLC

John A. Frazier
Alexander & Associates, P.C.
jaf-law@comcast.net

Daniel S. Mason
Zelle, Hofmann, Voelbel, Mason Gette, LLP