

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
LEXINGTON

CIVIL ACTION NO. 5:10-cv-0122-KKC

AURORA LOAN SERVICES, LLC.,

PLAINTIFF,

v.

OPINION AND ORDER

MARK B. MOODY, et al.,

DEFENDANTS,
COUNTER CLAIMANTS,
AND CROSS CLAIMANTS,

v.

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.,

CROSS RESPONDENT

* * * * *

This matter is before the Court on the Plaintiff’s Motion to Remand this matter to Madison County Circuit Court (DE 4). For the following reasons, the Court will GRANT the motion.

The Plaintiff Aurora Loan Services, LLC (“Aurora”) initially filed this foreclosure action in Madison Circuit Court alleging that Defendants Mark B. Moody and Sherrill A. Moody had defaulted on a note. Aurora also named Shermark Kentucky Investments, LLC and Mortgage Electronic Registration Systems, Inc. as defendants, asserting that they may have an interest in the property but that any such interest was inferior to that of the Plaintiff.

The Moodys and Shermark (the “Removing Defendants”) removed the action to this Court. The Plaintiffs then filed a motion to remand the action to Madison Circuit Court. The Removing Defendants have not responded to Aurora’s motion. The Court has reviewed the motion and the other relevant pleadings in this action and will remand this action for the reasons stated in the motion.

Accordingly, the Court hereby ORDERS as follows:

- 1) The Plaintiff Aurora's Motion to Remand (DE 4) to Madison Circuit Court is GRANTED;
- 2) The action is REMANDED to the Madison Circuit Court for the Commonwealth of Kentucky for further proceedings; and
- 3) This action is STRICKEN from the active docket of this Court.

Dated this 30th day of July, 2010.



Signed By:

Karen K. Caldwell *KKC*

United States District Judge