

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

CHRIS A MOORE

CIVIL ACTION

VERSUS

NOLAN W. MILLER, ET AL.

NO.: 15-00180-BAJ-RLB

RULING AND ORDER

Before the Court is Plaintiff Chris A. Moore's ("Plaintiff") **Motion for Remand (Doc. 26)**. The Magistrate Judge has issued a Report and Recommendation (Doc. 31), recommending that Plaintiff's motion be granted. No objection to the Magistrate Judge's Report has been filed and the deadline to do so has passed.

Having independently considered Plaintiff's **Motion to Remand (Doc. 26)** and related filings, the Court **APPROVES** the Magistrate Judge's **REPORT AND RECOMMENDATION (Doc. 31)**, and **ADOPTS** it as the Court's opinion herein.¹

¹ Under the circumstances presented, the Court agrees with the Magistrate Judge's conclusion that the 30-day clock to file a motion to remand restarted when the amended notice of removal was filed. (See Doc. 31 at pp. 7–8) (citing *Williams v. Wal-Mart Stores, Inc.*, 534 F. Supp. 2d 1239 (M.D. Ala. 2008)). The Court similarly agrees with the Magistrate Judge's conclusion that remand of this action is proper, because it was removed by a forum defendant in violation of U.S.C. § 1441(b)(2).

Accordingly,

IT IS ORDERED that Plaintiff's Motion to Remand is **GRANTED** for the reasons explained in the Magistrate Judge's Report and Recommendation.

Baton Rouge, Louisiana, this 3rd day of February, 2016.

A handwritten signature in blue ink, appearing to read "Brian A. Jackson". The signature is fluid and cursive, with a long horizontal stroke at the end.

**BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**