

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

ASHLEY ESTES, INDIVIDUALLY  
AND ON BEHALF OF JACE  
BRIDGEWATER

CIVIL ACTION

VERSUS

C-K SHERWOOD ACRES, LLC,  
ET AL.

NO.: 19-823-BAJ-SDJ

RULING AND ORDER

Before the Court is the United States Magistrate Judge's **Report and Recommendation (Doc. 37)**, proposed pursuant to 28 U.S.C. § 636(b)(1). The Report and Recommendation addresses Plaintiff's **Second Motion to Remand (Doc. 23)**. Plaintiff's Motion was opposed. *See* (Doc. 24). Plaintiff argues that Defendants' Notice of Removal was untimely because it was filed more than 30 days after receiving a copy of Plaintiff's Amended Petition, and more than one year after Plaintiff initially filed the suit in state court. (Doc. 23, at ¶¶ 7, 10, 14). The Magistrate Judge recommended that the Motion be granted, and that the matter be referred to the 19th Judicial District Court for the Parish of East Baton Rouge. (Doc. 37, at p. 2). However, the Magistrate Judge further recommended that the Court deny Plaintiff's request that sanctions be imposed. *Id.* at 12–14.

The Report and Recommendation notified the parties that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days from the date they received the Report and Recommendation to file written objections to the proposed findings of fact,

conclusions of law, and recommendations therein. No objections or responses were filed by either party.

Having carefully considered the underlying Complaint, the instant motion, and related filings, the Court approves the Magistrate Judge's Report and Recommendation, and hereby adopts its findings of fact, conclusions of law, and recommendation.

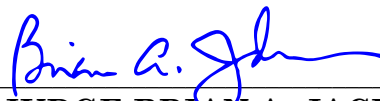
**IT IS ORDERED** that the **Magistrate Judge's Report and Recommendation (Doc. 37)** is **ADOPTED** as the Court's opinion herein.

**IT IS FURTHER ORDERED** that Plaintiff's **Second Motion to Remand (Doc. 23)** is **GRANTED**.

**IT IS FURTHER ORDERED** that this matter is **REMANDED** to the 19th Judicial District Court for the Parish of East Baton Rouge.

**IT IS FURTHER ORDERED** that Plaintiff's request for sanctions is **DENIED**.

Baton Rouge, Louisiana, this 9th day of September, 2020



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