

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

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IN LAKE CHARLES, LA.

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ROMONA DEFRIES AND LARRY DEFRIES : **DOCKET NO. 2:12-CV-0836**

VS. : **JUDGE MINALDI**

THE HOME DEPOT U.S.A., INC. AND TRENT FRAZIER : **MAGISTRATE JUDGE KAY**

JUDGMENT

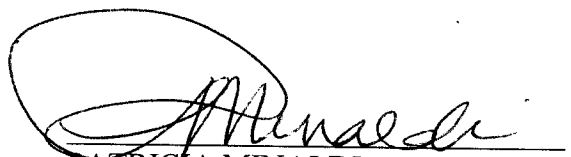
On July 20, 2012, Magistrate Judge Kay issued a Report and Recommendation, finding that the one non-diverse individual defendant, Trent Frazier, had been improperly joined in the above-captioned diversity case [Doc. 15]. As a result, she ruled that the plaintiffs' Motion to Remand [Doc. 5] should be denied, because diversity existed between the plaintiffs and the one remaining defendant, The Home Depot, U.S.A., Inc. On August 2, 2012, the plaintiffs submitted an unopposed Motion to Dismiss all claims against Trent Frazier without prejudice [Doc. 15], which the undersigned granted on August 14, 2012 [Doc. 16].

As the Order issued on August 14, 2012, has the same effect as the undersigned adopting the Magistrate Judge's Report and Recommendation,

IT IS ORDERED that the plaintiff's Motion to Remand is DENIED as moot.

IT IS FURTHER ORDERED that the Magistrate Judge's findings in the Report and Recommendation are AFFIRMED.

Lake Charles, Louisiana, this 16 day of October, 2012.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE