

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MICHELLE A. TURNER

v.

JPMORGAN CHASE BANK, N.A.

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Civil No. – JFM-14-576

MEMORANDUM

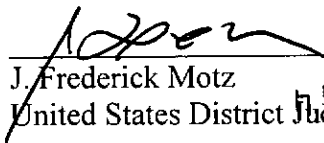
Defendant has removed this action to this court from the Circuit Court for Montgomery County, Maryland, in which it was originally filed. Plaintiff has filed a motion to remand.

The removal was proper. Plaintiff delivered a copy of the complaint to plaintiff at his office located at 1 Chase Manhattan Plaza, New York, New York. That, however, did not constitute proper service upon defendant. Defendant's principal office is located at 1111 Polaris Parkway in Columbus, Ohio, and its resident agent in Maryland is The Corporation Trust Incorporated, 351 West Camden Street, Baltimore, Maryland. The Supreme Court has ruled that receipt of a complaint, not accompanied by service, does not trigger the 30 day limitation upon removal established by 28 U.S.C. §1446(b). *See Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc., 526 U.S. 344, 347-48 (1999)*. Therefore, the fact that defendant did not remove the action to this court until arguably more than 30 days after it initially received the complaint is immaterial.

A separate order denying plaintiff's motion to remand is being entered herewith.

Date:

4/3/14


J. Frederick Motz
United States District Judge

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DISTRICT OF MARYLAND
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