

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN BEATTY,

Plaintiff,

v.

JPMORGAN CHASE & CO.

Defendant.

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Civil Action No. 18-cv-10144-IT

ORDER

March 12, 2018

TALWANI, D.J.

Plaintiff John Beatty, pro se, filed a complaint in the Superior Court of Essex County, Massachusetts on December 6, 2017, asserting claims based on the foreclosure of his daughter Michele Beatty’s home. Defendant JPMorgan Chase Bank, N.A., removed the case pursuant to 28 U.S.C. § 1446 by filing a Notice of Removal [#1] on January 25, 2018.

This court’s Local Rules governing removal provide that, “[w]ithin 28 days after filing a notice for removal of an action from a state court to this court pursuant to 28 U.S.C. § 1446, the party filing the notice shall file certified or attested copies of all records and proceedings in the state court and a certified or attested copy of all docket entries in the state court.” Local Rule 81.1(a). The Local Rule 81.1(a) time period expired on February 22, 2018. The Local Rules further provide that “[i]f the clerk has not received the papers required to be filed under subsection (a) within 42 days of the filing of the notice for removal, the case shall be remanded to the state court from which it was removed, unless the court directs otherwise.” Local Rule 81.1(b). The Local Rule 81.1(b) time period expired on March 8, 2018.

The clerk has yet to receive the papers required to be filed under Local Rule 81.1(a).

Accordingly, this case is remanded to the Superior Court of Essex County, Massachusetts. In accordance with Local Rule 81.1(c), the Clerk “shall mail certified copies of the docket and order of remand, together with the remainder of the original file, to the clerk of the state court.”

IT IS SO ORDERED.

March 12, 2018

/s/ Indira Talwani
United States District Judge