

CLOSED

2

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED
NOV 26 2008
CLERK'S OFFICE
U.S. DISTRICT COURT
EASTERN MICHIGAN

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., and US
BANK, N.A.,

Case Number: ~~07-11149~~
08-11149

Plaintiffs,

JUDGE PAUL D. BORMAN
UNITED STATES DISTRICT COURT

v.

OTIS JAMES BROOKS-BEY,

Defendant.

**ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION TO REMAND THIS CASE
TO THE WAYNE COUNTY CIRCUIT COURT**

Before the Court is the Magistrate Judge's October 16, 2008 Report and Recommendation ("R&R") granting Plaintiffs' motion to remand this case to the Wayne County Circuit Court. (Doc. No. 9). Defendant filed his objection to the R&R on October 30, 2008. (Doc. No. 10). Plaintiffs did not respond to Defendant's objection. Having conducted a *de novo* review of the R&R, pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b)(3), the Court is convinced that the Magistrate Judge correctly held that this Court does not have subject matter jurisdiction over this case. Defendant did not establish that he was entitled to remove this action based on diversity of citizenship, nor did he show that Plaintiffs' complaint raised a federal question.

Therefore, this Court:

(1) **ADOPTS** the Magistrate Judge's Report and Recommendation to remand this case to the Wayne County Circuit Court. (Doc. No. 9).

SO ORDERED.



PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: 11-26-08
Detroit, Michigan