

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM HORTON,

Plaintiff,

Case No. 11-14591

v.

HON. GEORGE CARAM STEEH

JOSE ORTIZ, et al.,

Defendants.

_____ /

ORDER DENYING PLAINTIFF'S MOTION TO REMAND

On September 24, 2011, plaintiff filed an action in Wayne County Circuit Court asserting various federal and state claims relating to the same factual situation. Defendant City of Detroit was served on October 4, 2011. On October 18, 2011, defendant City of Detroit removed the case to this court. On October 24, 2011, plaintiff filed a motion to remand the state claims to Wayne County Circuit Court. Defendant City of Detroit filed a response to the motion. The court finds that oral argument is not necessary. See Local Rule 7.1(f). Plaintiff cites 28 U.S.C. §1367(c) in his motion to remand. 28 U.S.C. §1367(c) provides the court may decline to exercise supplemental jurisdiction over a claim when: "(1) the claim raises a novel or complex issue of State law, (2) the claim substantially predominates over the claim or claims over which the district court has original jurisdiction, (3) the district court has dismissed all claims over which it has original jurisdiction, or (4) in exceptional circumstances, there are other compelling reasons for declining jurisdiction." Plaintiff admits the causes of action asserted in this case "arise out of the same factual situation" (Pl. Mot., p. 5.), but argues problems can arise in many cases that have both

federal and state claims. Plaintiff fails to identify a reason within the context set forth by 28 U.S.C. §1367(c) for remanding the state claims in this case. Plaintiff's motion to remand is therefore DENIED.

IT IS SO ORDERED.

Dated: January 3, 2012

s/George Caram Steeh _____

GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on January 3, 2012, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk