

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DAVE A. CRANDALL, et.al., )  
)  
)  
Plaintiffs, )  
)  
v. )  
)  
COUNTY OF SARPY, et.al, )  
)  
)  
Defendants. )

8:10CV97

MEMORANDUM AND ORDER

On April 1, 2010, defendant Sarpy County filed a notice of removal which purportedly removed the state court civil action entitled "Dolly Beulah Mildred Crandall, Dave A. Crandall, and Gary David Crandall, Petitioners v. County of Sarpy, Respondent," District Court of Sarpy County, Nebraska, Case No. CI06-307, into the above-captioned case. (Filing No. [46](#)). Explaining the removal notice was incorrectly filed in this action, and acknowledging the filing of such a notice fails to conform with the applicable law and rules of this court, Sarpy County has moved to strike the notice of removal. (Filing No. [49](#)). The court finds defendant Sarpy County's motion should be granted.

Accordingly,

IT IS ORDERED that Sarpy County's motion to strike, (filing no. [49](#)), is granted. The Clerk shall strike Sarpy County's notice of removal, (filing no. [46](#)), from the docket of this case.

April 5, 2010.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge