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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

US Bank Trust NA.  
Plaintiff  
v.  
Riggs-Smith  
Defendant

2:15-cv-00764-JAD-PAL

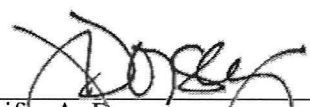
**Order Remanding Case Back to  
Nevada State Court  
[ECF 6]**

Plaintiff US Bank Trust sued defendants Lessie Riggs-Smith and Raymond Smith for unlawful detainer in a Nevada state court. The Smiths filed a petition of removal invoking this court’s civil-rights jurisdiction under 28 U.S.C. §1443(1).<sup>1</sup> US Bank timely moved to remand arguing that the Smiths cannot demonstrate jurisdiction based on section 1443, which is available only in very limited circumstances.<sup>2</sup> The Smiths have not opposed US Bank’s motion or requested an extension to file an opposition, and the deadline for doing so passed more than two months ago.

Local Rule 7-2(d) provides, “[t]he failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion.” As the Smiths have filed no opposition to US Bank’s motion to remand, I deem their failure to oppose this motion a consent to remand. With good cause appearing and no reason to delay,

IT IS HEREBY ORDERED that plaintiff’s Motion to Remand [ECF 6] is **GRANTED**. This case is remanded back to the Justice Court, Clark County, Nevada; case number 15C001668.

Dated this 27 day of August, 2015

  
\_\_\_\_\_  
Jennifer A. Dorsey  
United States District Judge

<sup>1</sup> ECF 1.

<sup>2</sup> ECF 6 at 5.