

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

<p>KELLIE LYNN PEREZ,</p> <p style="text-align: right;">Plaintiff(s),</p> <p style="text-align: center;">v.</p> <p>GEICO GENERAL INSURANCE COMPANY, et al.,</p> <p style="text-align: right;">Defendant(s).</p>	<p>Case No. 2:15-CV-2040 JCM (PAL)</p> <p style="text-align: center;">ORDER</p>
---	---

Presently before the court is plaintiff Kellie Lynn Perez’s motion to remand to state court. (Doc. #10). Defendant Geico General Insurance Company filed a notice of non-opposition to the motion to remand. (Doc. #12).

Defendant removed the instant action on the basis of diversity of citizenship pursuant to 28 U.S.C. § 1332. However, in the motion to remand, plaintiff provided factual and legal support for her argument that there is no diversity of citizenship between the parties. Specifically, the amount in controversy does not exceed \$75,000. Plaintiff states that a reasonable range of value for her claim is between \$25,000 and \$40,000. Defendant submit its non-opposition to plaintiff’s motion based upon her representations that her medical specials only total to \$13,320.60 and that her calculated reasonable range of value of her claim is between \$25,000 and \$40,000.

28 U.S.C. § 1332(a) requires that the amount in controversy exceed \$75,000. Therefore, the court finds it proper to remand to the state court.

...
...
...

James C. Mahan
U.S. District Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiffs' motion to remand (doc. #10) is GRANTED. The action shall be remanded to the state court for further proceedings.

DATED January 15, 2016.


UNITED STATES DISTRICT JUDGE