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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

\* \* \*

STATE OF NEVADA,  
  
Plaintiff,  
  
v.  
  
UNITED STATES DEPARTMENT OF THE  
TREASURY, et al.,  
  
Defendants.

Case No. 2:16-cv-00665-APG-GWF

**ORDER GRANTING MOTION TO  
REMAND CASE TO STATE COURT**

(ECF No. 139)

The remaining defendants move to remand this case to state court. ECF No. 139. All parties agree that the decision to remand is left to my discretion. Now that the United States has disclaimed any further interest in the subject property and this litigation, there is no reason for the case to remain in federal court. While I have spent some time addressing this case, the amount is not significant and the state court can pick up the case where it stands now. And any delay in getting to trial should be minimal as the state court—unlike the federal court—is bound by Nevada Revised Statute § 37.055 to give this eminent domain case priority over other cases.

Other good reasons justify remanding the case. The remaining issues are purely state law matters. And given my prior rulings in this case—and the defendants’ request for an interlocutory appeal (ECF No. 142)—there is little doubt this case eventually will be appealed. The Supreme Court of Nevada (or the Nevada Court of Appeals) should rule on those issues, rather than the Ninth Circuit Court of Appeals.

Because this case will proceed in state court, I decline to rule on the pending motion to amend the complaint. ECF No. 140. That motion should be resolved by the state court.

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IT IS THEREFORE ORDERED that the defendants' motion to remand (**ECF No. 139**) is **GRANTED**. The case is remanded to the state court from which it was removed for all further proceedings. The Clerk of the Court is instructed to close this case.

DATED this <sup>30<sup>th</sup></sup> day of November, 2017.

  
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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE