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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Kyle Thomas Ransom,
Plaintiff

v.

Hartford Insurance Co. of the Midwest,
Defendant

2:17-cv-02257-JAD-GWF

Order Remanding Case to State Court

[ECF No. 11]

10 On September 19, 2017, plaintiff Kyle Thomas Ransom moved to remand this insurance-
11 coverage dispute back to state court because the case value does not meet the \$75,000
12 jurisdictional threshold.¹ Hartford Insurance's deadline to oppose the motion to remand was
13 October 3, 2017; it filed no opposition and has not sought to extend the deadline to do so. Local
14 Rule 7-2(d) states that "The failure of a moving party to file points and authorities in response to
15 any motion . . . constitutes a consent to the granting of the motion." And the defendant always
16 has the burden of establishing that removal is proper.² I construe Hartford's failure to oppose the
17 motion to remand as its acknowledgment that jurisdiction is lacking, and I GRANT the Motion to
18 Remand.

19 Accordingly, IT IS HEREBY ORDERED that the Motion to Remand [ECF No. 11] is
20 **GRANTED**. This case is remanded back to the Eighth Judicial District Court for Clark County,
21 Nevada, Case No. A-17-758064-C, Dept. 26. The Clerk of Court is directed to VACATE as
22 moot the 10/30/17 hearing in this case.

23 DATED: October 10, 2017.

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U.S. District Judge Jennifer A. Dorsey

¹ ECF No. 11.

² *Gaus v. Miles*, 980 F.2d 564, 566 (9th Cir. 1992).