

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 Case No.: 2:17-cv-02876-JAD-NJK

4 Christopher Stewart, deceased; Melinda Vereen-
5 McDuffie, Appointed Special Administrator of
6 the Estate of Christopher Stewart; Maria
7 Stewart; Alexander Viray; Christina Marie
8 Smith; Christopher James Stewart,

9 Plaintiffs

Order Granting Motion to Remand

[ECF No. 12]

v.


10 City of Henderson; Gregory Truax, D.O., and
11 Djordje V. Hristic, M.D.,

12 Defendants

13 Defendant Djordje Hristic, M.D. moves to remand this case back to Nevada State Court,
14 arguing primarily that the failure to obtain unanimous consent of all served defendants renders
15 the removal defective under 28 U.S.C. § 1446.¹ No party has opposed the motion. Indeed, co-
16 defendant City of Henderson acknowledges that its removal without Hristic's agreement justifies
17 remand, and the plaintiffs have also indicated their non-opposition to the remand request.²

18 Accordingly, with good cause appearing and no opposition, IT IS HEREBY ORDERED
19 that the Motion to Remand [ECF No. 12] is **GRANTED**. This case is remanded back to the
20 Eighth Judicial District Court for Clark County, Nevada, Case No. A-17-762544-C, Department
21 26. The Clerk of Court is directed to CLOSE THIS CASE.

22 Dated this 4th day of January, 2018.

23 
24 U.S. District Judge Jennifer A. Dorsey

25
26
27 ¹ ECF No. 12.

28 ² ECF Nos. 17, 18.