

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

EUSTACE ARRINDELL, *Individually and  
as Administrator of the Estate of Marguerite  
Arrindell, deceased,*

Plaintiff,

v.

**DECISION AND ORDER**  
09-CV-165S

RONALD MOSCATI, M.D.,

Defendant.

There being no opposition thereto, Plaintiff's Motion to Remand to state court for lack of subject-matter jurisdiction will be granted and this case remanded to the New York State Supreme Court, County of Erie.

IT HEREBY IS ORDERED, that Plaintiff's unopposed Motion to Remand (Docket No. 118) is GRANTED.

FURTHER, that the Clerk of Court is directed to TRANSFER this case to the New York State Supreme Court, County of Erie.

FURTHER, that the Clerk of Court is directed to CLOSE this case upon transfer to the New York State Supreme Court, County of Erie.

SO ORDERED.

Dated: March 1, 2013  
Buffalo, New York

/s/William M. Skretny  
WILLIAM M. SKRETNY  
Chief Judge  
United States District Judge