

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

CASE NO. : 2:14-CV-68-BO

GARY WARREN SPRUILL	:	
Plaintiff,	:	
	:	
vs.	:	
	:	<u>ORDER GRANTING</u>
WESTFIELD INSURANCE COMPANY,	:	<u>MOTION TO REMAND</u>
ALLSTATE PROPERTY AND	:	
CASUALTY INSURANCE COMPANY,	:	
DISCOVERY INSURANCE COMPANY,	:	
and GABRIELA ALFARO,	:	
Defendants.	:	
_____	:	

THIS CAUSE is before the Court on Motion to Remand by Plaintiff. The removing defendant, Westfield Insurance Company, filed no response to the motion, the time for filing having expired. Upon the uncontroverted record, it appears to the Court that this case was improperly removed from this Court in that complete diversity between all defendants required by 28 USCA § 1441 is lacking; and that the Motion to Remand should be granted.

THEREFORE, it is ORDERED that Motion to Remand by Plaintiff is hereby allowed; that this action is hereby remanded to the Currituck County Superior Court; and that a certified copy of this Order be mailed by the Clerk to the Clerk of Superior Court of Currituck County with reference to its file no. 14-CVS-396.

(Order continued on following page)

SO ORDERED.

This the 9 day of January, 2015.

Terence W. Boyle
UNITED STATES DISTRICT COURT JUDGE