

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:17-cv-31-MOC-DCK**

**KRISTIANA TWEED BURRELL,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 )  
 **BAYER CORP., et al.,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )


**ORDER**

**THIS MATTER** is before the Court following an order of the Fourth Circuit Court of Appeals vacating and remanding this Court’s dismissal Order dated May 10, 2017. See (Doc. No. 46). In its decision, the Fourth Circuit Court of Appeals held that this action was improperly removed from state court to federal court because the basis for removal—federal question jurisdiction under 28 U.S.C. § 1331—was lacking.

In vacating and remanding the action to this Court, the Fourth Circuit has instructed this Court to remand this action to North Carolina state court.

**IT IS HEREBY ORDERED** that this action is remanded to Buncombe County Superior Court.

Signed: April 5, 2019

  
Max O. Cogburn Jr.  
United States District Judge