

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

The Huntington National Bank,

Plaintiff,

-V-

**Case No. 2:05-cv-0844
JUDGE SMITH**

Sidney T. Lewis, et al.,

Defendants.

ORDER

Plaintiffs removed this action to this Court from the Franklin County, Ohio Court of Common Pleas. The Complaint seeks a declaratory judgment that defendants are vexatious litigators pursuant to Ohio Rev. Code § 2323.52.

Diversity of citizenship is lacking in this case. Furthermore, after careful review, the Court finds that the complaint, which asserts only state law claims, does not arise under the Constitution, laws, or treaties of the United States. This Court therefore lacks jurisdiction over this case and the

case was improperly removed.

The Court *sua sponte* **REMANDS** this case to the Franklin County Common Pleas Court.

The Clerk shall remove this case from the Court's pending motions and cases lists.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT