

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

**WORRELL A. REID, ADMINISTRATOR
OF THE ESTATE OF QULO DANIEL,
et al.,**

Plaintiffs,

Case No. 3:14-cv-223

Judge Thomas M. Rose

-v-

GAYLE DANIEL, et al.,

Defendants.

**ENTRY AND ORDER GRANTING REID'S MOTION TO REMAND (Doc.
#11) AND REMANDING THIS MATTER TO THE MONTGOMERY
COUNTY PROBATE COURT**

This action was originally filed in the Probate Court of Montgomery County, Ohio. It was subsequently removed to this Court on July 9, 2014, by Defendant Metropolitan Life Insurance Co. ("MetLife") based upon this Court having federal question subject matter jurisdiction. (Doc. #1.)

On July 14, 2014, MetLife filed a Motion seeking an extension of time to file an answer to the Complaint. (Doc. #5.) On July 16, 2014, Gayle Daniel ("Daniel"), another Defendant, filed two Motions for extensions of time to answer. (Docs. #6 and #7.) The Court then issued an expedited briefing schedule on these motions for time extensions.

On July 16, 2014, Plaintiff Worrell A. Reid as Administrator of the Estate of Qulo Daniel ("Reid") dismissed MetLife and requested that the matter be remanded to the Montgomery County Probate Court. (Doc. #9.) On July 18, 2014, Reid objected to the Motions for time extensions. Reid argued that MetLife had been dismissed so the matter should be remanded and

that Daniel had already had ample time to answer.

On July 22, 2014, Reid moved to remand the matter to the Montgomery County Probate Court because the Complaint no longer includes a federal question since MetLife has been dismissed. (Doc. #11.) On July 29, 2014, Daniel filed an answer. (Doc. #12.)

The time has run and the Court has received no response to Reid's Motion To Remand. It is, therefore, ripe for decision.

After the dismissal of MetLife, there is no longer a federal question. Therefore, this Court no longer has subject matter jurisdiction. This matter must, therefore, be remanded to the Montgomery County Probate Court.

DONE and ORDERED in Dayton, Ohio this Twenty-Fifth day of August, 2014.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record