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

KANIKA DIX,

      Plaintiff                                                    Case No. 3:25-cv-25

vs.

AUTO-OWNERS (MUTUAL)                              District Judge Michael J. Newman
INSURANCE COMPANY,                               Magistrate Judge Caroline H. Gentry

      Defendant.

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**ORDER: (1) GRANTING DEFENDANT'S UNOPPOSED MOTION TO REMAND THIS CASE TO STATE COURT (Doc. No. 15); (2) REMANDING THE CASE TO THE CIVIL DIVISION OF THE COURT OF COMMON PLEAS FOR MONTGOMERY COUNTY, OHIO; AND (3) TERMINATING THE CASE ON THE COURT'S DOCKET**

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Plaintiff initiated this case in the Civil Division of the Court of Common Pleas for Montgomery County, Ohio. Doc. No. 7 at PageID 86. Defendant removed the case to this Court, asserting diversity jurisdiction under 18 U.S.C. § 1332(a). Doc. No. 3; *see* 28 U.S.C. § 1441(a). Based upon the Court's review of the Notice of Removal and Complaint, it did not appear that Defendant had provided competent proof establishing, by a preponderance of the evidence, that the amount in controversy exceeds $75,000. Doc. No. 14. The Court thus ordered Defendant to show cause why this action should not be remanded to state court for lack of subject-matter jurisdiction. *Id.*

Defendant responded to the Show Cause Order and acknowledged, after discussing with Plaintiff's counsel, "Defendant is now satisfied damages in this case will not exceed Seventy-Five Thousand Dollars ($75,000.00), and gives notice this case is appropriate for remand to the Montgomery County Court of Common Pleas." Doc. No. 16 at PageID 159-60. The Court

interprets this response to be a motion to remand.  *See id.*

The Court therefore (1) **GRANTS** as unopposed Defendant's motion to remand this case

to state court due to lack of subject matter jurisdiction; (2) **REMANDS** this case to the Civil

Division of the Court of Common Pleas for Montgomery County, Ohio; and (3) **TERMINATES**

the case on the docket.

**IT IS SO ORDERED.**

March 11, 2025                                               s/*Michael J. Newman*
                                                            Hon. Michael J. Newman
                                                            United States District Judge