

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH LEE, : CIVIL ACTION
 : NO. 17-01996
Plaintiff, :
 :
v. :
 :
ARPAN NALIN PATEL, et al. :
 :
Defendants. :

O R D E R

AND NOW, this **1st** day of **June, 2017**, upon consideration of Plaintiff's uncontested Motion to Remand (ECF No. 3), it is hereby **ORDERED** that:

1. For the reasons stated on the record, Plaintiff's Motion to Remand to State Court (ECF No. 3) is **GRANTED**.¹

2. This action is **REMANDED** to the Court of Common Pleas of Bucks County, Pennsylvania.²

¹ The Court declines to award any attorney's fees pursuant to 28 U.S.C. § 1447(c). Further, given the decision to remand, the Court need not decide the pending motions to dismiss in this case (ECF Nos. 2, 4).

² The Court finds that the Notice of Removal was untimely filed, as it was filed on May 1, 2017, 34 days after Defendants' receipt of the initial pleading on March 27, 2017. See 28 U.S.C. § 1446(b) ("The notice of removal of a civil action or proceeding shall be filed within 30 days after the receipt by the defendant . . . of a copy of the initial

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.

pleading"). Additionally, the Court finds that it does not have jurisdiction because all Defendants are citizens of Pennsylvania. See 28 U.S.C. § 1441(b)(2) ("A civil action otherwise removable solely on the basis of the jurisdiction under section 1332(a) . . . may not be removed if any of the . . . defendants is a citizen of the State in which such action is brought.").