

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

ADRIAN VIDALES	:	CIVIL ACTION
	:	
v.	:	
	:	
RICARDO SANCHEZ, BED ROCK, INC., and ROADMASTER GROUP II	:	NO. 22-2150
	:	

MEMORANDUM

Savage, J.

June 8, 2022

On April 29, 2022, plaintiff Adrian Vidales filed a personal injury action in the Court of Common Pleas of Lebanon County, Pennsylvania, asserting claims for damages arising out of a motor vehicle accident. Vidales, a citizen of California, alleges that he was driving a truck in Lebanon County when it was rear-ended by a vehicle operated by defendant Sanchez, injuring him. In addition to Sanchez, a New York resident, the plaintiff has named as defendants Bed Rock, Inc., a Missouri corporation, and Roadmaster Group II, LLC, a Delaware corporation.

Bed Rock and Roadmaster Group timely removed the action to this court based on diversity jurisdiction pursuant to 28 U.S.C. §§ 1332 and 1441. In their notice of removal, they aver that Bed Rock is a Missouri corporation with its principal place of business there; Roadmaster Group is a Delaware corporation with a principal place of business in Arizona; and Sanchez is a resident of Hurlyville, New York.

A defendant may remove a civil action from state to federal court if the district court would have had subject-matter jurisdiction had the case originally been filed there. 28 U.S.C. § 1441(a). The defendant must file the removal notice in the federal district court

for the district and division “embracing the place where such action is pending” within thirty days of service of the complaint. 28 U.S.C. §§ 1441(a), 1446(a), (b).

The defendants removed this action to the wrong district. The plaintiff filed his suit in state court in Lebanon County, which is in the Middle District of Pennsylvania. See 28 U.S.C. §§ 118(b). This district has no connection to this action. None of the parties are citizens or residents of Pennsylvania. The accident giving rise to the cause of action occurred in the Middle District of Pennsylvania. Therefore, because the action should have been removed to the Middle District, not the Eastern District, we shall remand it to the state court from which it was removed.