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

U.S. BANK NATIONAL :   CIVIL ACTION NO. 1:15-CV-257
ASSOCIATION, as Successor Trustee :
to Bank of America, N.A., as Successor :   (Chief Judge Conner)
by Merger to LaSalle Bank, N.A., as :
Successor by Merger to LaSalle Bank, :
N.A., as Trustee for Merrill Lynch First :
Franklin Mortgage Loan Trust, :
Mortgage Loan Asset-Backed :
Certificates, Series 2007-1, :
      :
       Plaintiff :
      :
    v. :
      :
ANDRE L. VAUGHN and MONIQUE :
N. VAUGHN, :
      :
       Defendants :

ORDER

AND NOW, this 7th day of April, 2015, upon consideration of the motion

(Doc. 4) to remand the above-captioned matter to the Court of Common Pleas of

York County, Pennsylvania, filed by plaintiff U.S. Bank National Association, and

the court noting that defendants have not responded to the motion despite the

court's order to do so, (see Doc. 7), and it appearing that plaintiff commenced the

state court action on February 2, 2010, and made service of its initial pleading on

the defendants on February 5, 2010, (see Doc. 1-2 at 9-10), and that defendants did

not file their notice of removal until February 5, 2015, (see Doc. 1), and the court

concluding that removal is untimely, see 28 U.S.C. § 1446(b) (requiring defendant to

remove proceeding within thirty (30) days of receipt of the initial pleading), see also

U.S. Bank Nat'l Ass'n v. Vaughn, No. 1:10-CV-1601, 2010 WL 4955588, at *1-2

(Mannion, M.J.), <u>adopted by</u> 2010 WL4955585 (M.D. Pa. Nov. 30, 2010) (Conner, J.)

(remanding the instant defendants' first untimely attempt to remove the above-

captioned case), it is hereby ORDERED that:

1. Plaintiff's unopposed motion (Doc. 4) to remand the above-captioned action to the Court of Common Pleas of York County, Pennsylvania, is GRANTED.

2. This matter shall be REMANDED to the Court of Common Pleas of York County, Pennsylvania.

3. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania