

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

CLIFFORD JONES, JANE DOES 1–100,)
and JOHN DOES 1–100)

Plaintiffs,)

vs.)

ALLURA USA LLC, PLYCEM USA LLC)
d/b/a ALLURA, PLYCEM USA INC.,)
JANE DOES 1–100, and JOHN DOES)
1–100,)

Defendants.)

No. 2:20-cv-3492-DCN

ORDER

This matter is before the court on plaintiff Clifford Jones’s (“Jones”) motion to remand, ECF No. 12. Plaintiffs filed this negligence action in the Dorchester Court of Common Pleas on June 19, 2020 against defendants Allura USA LLC, Plycem USA LLC, Plycem USA Inc., Janes Does 1–100, and John Does 1-100 (collectively, “defendants”). ECF No. 1-1, Compl. In their complaint, plaintiffs represented that the unnamed Jane and John Doe defendants represented the then-unknown “subcontractors and/or other entities involved in the design, development, marketing, construction, [et cetera],” of plaintiffs’ properties. Compl. ¶ 9. On the basis of the court’s diversity jurisdiction over the subject matter, defendants removed the action to this court on September 30, 2020. ECF No. 1.

Now, Clifford asks the court to remand this matter to state court based on his recent discovery that at least one of the Doe defendants is a citizen of South Carolina, meaning that the court is bereft of diversity jurisdiction thus the constitutional authority to hear this case. Defendants have informed the court that they do not contest Clifford’s

request to remand. Therefore, the court grants the motion and remands this matter to state court. Accordingly, defendants' motion to dismiss, ECF No. 5, is moot.

For the foregoing reasons the court **GRANTS** the motion to remand, **REMANDS** the action to the Dorchester Court of Common Pleas, and **FINDS AS MOOT** defendants' motion to dismiss.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'D. Norton', written over a horizontal line.

DAVID C. NORTON
UNITED STATES DISTRICT JUDGE

January 8, 2021
Charleston, South Carolina