

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Spencer Moore and Timothy Timmons )  
as Personal Representative of the Estate )  
of Latisha Clement, )  
  )  
Plaintiffs, )  
  )  
vs. )  Civil Action No. 4:11-cv-469-TLW  
  )  
Nationwide Insurance Company of )  
America and Christopher Moody, )  
  )  
Defendants. )  
  )  
\_\_\_\_\_  
  )

**ORDER**

This matter is now before the Court for consideration of Defendant Nationwide Insurance Company of America's motion to dismiss Plaintiffs' Complaint. (Doc. # 8). Plaintiffs filed a response to the motion to dismiss and a motion to remand to state court as to defendant Moody. (Doc. # 10). In the response, Plaintiffs consent to the dismissal of Nationwide as a defendant. Accordingly, Nationwide's motion to dismiss is **GRANTED**.

Defendant Moody has not filed a response to Plaintiffs' motion to remand. This Court finds that with the dismissal of Defendant Nationwide, it lacks subject matter jurisdiction over this case. Accordingly, Plaintiffs motion to remand is **GRANTED**. (Doc. # 10). This case is hereby **REMANDED** to the Circuit Court for Marion County.

**IT IS SO ORDERED.**

s/Terry L. Wooten  
TERRY L. WOOTEN  
United States District Judge

July 6, 2011  
Florence, South Carolina