

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Tahshiana Jones,)	
)	Case No.: 4:14-cv-00157-RBH
Plaintiff,)	
)	
vs.)	CONSENT ORDER OF REMAND
)	
Action Water Sportz, LLC,)	
)	
Defendant.)	
_____)	

THIS MATTER COMES BEFORE THE COURT upon joint motion of counsel for the Plaintiff and Defendant in the above captioned matter, requesting that this case be remanded to the Court of Common Pleas for the Fifteenth Judicial Circuit of South Carolina in accordance with 28 U.S.C.A. § 1447(c) on the following grounds:.

1. The parties agree that the Defendant is a limited liability company organized and operating under the laws of the State of South Carolina with its principal place of business in Horry County, South Carolina.

2. The parties agree that the Plaintiff filed her original action in the Court of Common Pleas for the Fifteenth Judicial Circuit of South Carolina.

3. The parties agree that the Defendant was served on December 17, 2013 and that the Notice of Removal was filed by Defendant on January 20, 2014. Accordingly, the parties agree that the Notice of Removal was not timely filed and the Court does not have jurisdiction.

4. The parties agree that since the Defendant is organized under and has its principal place of business in South Carolina, this action cannot be removed to the United States District Court for the District of South Carolina pursuant to 28 U.S.C.A. § 1441(b)(2).

THEREFORE, this case is hereby remanded to the Court of Common Pleas for the Fifteenth Judicial Circuit of South Carolina, and a certified copy of this order shall be mailed to the Clerk of Court for the Court of Common Pleas for the Fifteenth Judicial Circuit pursuant to 28 U.S.C.A. § 1447(c).

AND IT IS SO ORDERED.

s/ R. Bryan Harwell
The Honorable R. Bryan Harwell
United States District Court Judge
Florence Division

Florence, South Carolina
January 24, 2014

I CONSENT:

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