

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**JOSEPH LENINS,** )  
 )  
 **Plaintiff,** )  
 )  
 )  
 )  
 **vs.** )  
 )  
 )  
 **DICKSON OPERATOR, LLC d/b/a** )  
 **DICKSON HEALTH AND REHAB** )  
 **a/k/a DICKSON HEALTHCARE** )  
 **CENTER, WINDWARD HEALTH** )  
 **PARTNERS, LLC, MISSION HEALTH** )  
 **OF GEORGIA, LLC, UNIVERSAL** )  
 **HEALTHCARE ASSOCIATES, LLC,** )  
 **T AND C CAPITAL ASSETS, LLC and** )  
 **DIANE K. PATTERSON,** )  
 )  
 **Defendants.** )

**CASE NO. 3:15-0120  
JUDGE HAYNES/KNOWLES**


**REPORT AND RECOMMENDATION**

This matter is before the Court upon a “Joint Motion to Remand to the State Court” filed by Plaintiff Joseph Lenins and Defendants Dickson Operator, LLC d/b/a Dickson Health and Rehab a/k/a Dickson Healthcare Center, Windward Health Partners, LLC, and Mission Health of Georgia, LLC. Docket No. 8. Those parties agree that this action should be remanded to the Circuit Court for the 23<sup>rd</sup> Judicial District at Dickson County. As grounds for the instant Motion, Defendants state that they have not been able to obtain consent to the removal from Defendants T and C Capital Assets, LLC and Universal Healthcare Associates, LLC, who have been served in the State Court action.

For the foregoing reasons, the undersigned recommends that this action be remanded to

the Circuit Court for the 23<sup>rd</sup> Judicial District at Dickson County.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.

  
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E. Clifton Knowles  
United States Magistrate Judge