

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION


|                       |   |                                 |
|-----------------------|---|---------------------------------|
| AMERICAN HOMES 4 RENT | § |                                 |
| PROPERTIES,           | § |                                 |
|                       | § |                                 |
| Plaintiff,            | § |                                 |
|                       | § |                                 |
| v.                    | § | CIVIL ACTION NO. 3:14-CV-2575-B |
|                       | § |                                 |
| ARAMI GATES AND ALL   | § |                                 |
| OCCUPANTS,            | § |                                 |
|                       | § |                                 |
| Defendants.           | § |                                 |

ORDER ADOPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Before the Court are the Findings, Conclusions, and Recommendation (doc. 12) of United States Magistrate Judge David L. Horan, filed on August 7, 2014. The Findings recommend that the Court grant Plaintiff's Motion to Remand (doc. 7) and remand to County Court at Law No. 4, Dallas County, Texas, from which it was removed. The recommendation is based on Judge Horan's findings that the Defendant's removal of the action was defective because it contravened 28 U.S.C. § 1441(b)(2)'s forum-defendant rule and, additionally, because the Court lacks subject matter jurisdiction over this action. Defendant failed to object to the Findings within the fourteen days permitted under Federal Rule of Civil Procedure 72(b)(2), so the Court reviews the Findings for clear error. After making an independent review of the pleadings, files and records in this case, and the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, the Court is of the opinion that the Findings, Conclusions, and Recommendation are correct and free of clear error. It is therefore **ORDERED** that the Findings, Conclusions and Recommendation (doc. 12) are **ADOPTED** and Plaintiff's Motion to Remand (doc. 7) is **GRANTED**.

SO ORDERED.

SIGNED: August 27, 2014.



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JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE