VRM v. Dias et al Doc. 15

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

	§	
VRM (VENDOR RESOURCE	§	
MANAGEMENT) DULY	§	
AUTHORIZED AGENT FOR THE	§	
SECRETARY OF VETERANS	§	
AFFAIRS,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 4:14-cv-783-O
v.	§	
	§	
ALBERT DIAS, JR. et al.,	§	
	§	
Defendants.	§	
	§	

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

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. *See* ECF No. 13. The Magistrate Judge recommended that Plaintiff's Motion to Remand (ECF No. 7) should be granted because the named defendants are citizens of Texas. Defendants objected. *See* Defs.' Objection, ECF No. 14. The Court has conducted a de novo review of those portions of the proposed findings and recommendation to which an objection was made.

Although Defendants removed this action because there is diversity between the parties, defendants are citizens of the forum state. "A civil action otherwise removeable solely on the basis of . . . [diversity] jurisdiction . . . may not be removed if any of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought." 28 U.S.C. § 1441(b)(2). Therefore, the Court **OVERRULES** Defendants' objections and **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

Accordingly, it is **ORDERED** that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are accepted as the findings of the Court. Plaintiff's Motion to Remand (ECF No. 7) is hereby **GRANTED** and this action is remanded to County Court at Law No. 1, Tarrant County, Texas.

SO ORDERED on this 10th day of October, 2014.

Reed O'Connor

UNITED STATES DISTRICT JUDGE