

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VICTOR SEMENYUK, *et al.*,

Plaintiffs,

v.

TATYANA ZAGREBELNY, *et al.*,

Defendants.

CASE NO. C16-1897-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Defendants' motion for reconsideration of the Court's order granting Plaintiffs' motion for remand (Dkt. No. 15). Defendants argue that the order granting remand was an "abuse of discretion" and that they have a "statutory right" to removal. (*Id.* at 1.) However, the Court was well within its authority, as Defendants do not have a statutory right to a blatantly frivolous and improper removal action. As previously stated, the removal was untimely, there is no federal question presented, and the parties are not completely diverse. (Dkt. No. 11 at 2.) Defendants had no valid ground for removal to federal court, and the removal was seemingly an attempt to prolong the unlawful detainer action. Given these circumstances, the Court waives the 14-day stay for remanded cases pursuant to Local Civil Rule 3(h). The order to remand (Dkt. No. 11) will be EFFECTIVE IMMEDIATELY because

1 Defendants' removal was blatantly frivolous.

2 DATED this 15th day of February 2017.

3 William M. McCool
4 Clerk of Court

5 s/Paula McNabb
6 Deputy Clerk