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7 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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9 CITY OF EDMONDS,

10 Plaintiff,

11 v.

12 DARY GAIL RIEDLINGER,

13 Defendant.

No. C17-225RSL

ORDER DENYING MOTION FOR
STAY

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15 This matter comes before the Court on an “Ex Parte Motion for Stay of Execution.” Dkt.
16 # 12. The Court DENIES this motion. An order remanding a case to the state court from which
17 it was removed is not reviewable on appeal or otherwise. 28 U.S.C. § 1447(d). Though
18 Mr. riedlinger claims that he removed the case pursuant to 28 U.S.C. § 1443(1), and accordingly
19 that this Court’s remand order falls into the limited exception to the rule established by 28
20 U.S.C. § 1447(d), Mr. riedlinger’s notice of removal does not rely on 28 U.S.C. § 1443. The
21 notice of removal cites Section 1443, but it does not argue in any way that the courts of
22 Washington cannot or will not enforce Mr. riedlinger’s civil rights. See Dkt. # 1. Accordingly,
23 the Court’s remand order is not reviewable and a stay pursuant to Fed. R. Civ. P. 62(b) is not
24 appropriate. The motion is DENIED.

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28 ORDER OF REMAND - 1

1 DATED this 2nd day of March, 2017.

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4 Robert S. Lasnik
5 United States District Judge
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