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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 IH2 PROPERTY WASHINGTON LP,

9 Plaintiff,

10 v.

11 JOHN NELSON,

12 Defendant.

CASE NO. C13-5550 BHS

ORDER REMANDING MATTER

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14 This matter comes before the Court on Defendant John and Allison Nelson's  
15 ("Nelsons") notice of removal (Dkt. 1).

16 On May 25, 2013, Plaintiff IH2 Property Washington LP filed an unlawful  
17 detainer action in Pierce County Superior Court for the State of Washington. Dkt. 3. On  
18 July 8, 2013, the Nelsons removed the matter to this Court asserting that the Court has  
19 jurisdiction pursuant to 28 U.S.C. § 1332. Dkt. 1 at 3.

20 If at any time before final judgment it appears that the district court lacks subject  
21 matter jurisdiction, the case shall be remanded. 28 U.S.C. § 1447(c).

1           The Court lacks subject matter jurisdiction over CitiMortgage's unlawful detainer  
2 action to obtain possession of real property that the Nelsons will allegedly not vacate.  
3 Therefore, the Court *sua sponte* **REMANDS** the matter.

4           **IT IS SO ORDERED.**

5           Dated this 11<sup>th</sup> day of July, 2013.

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BENJAMIN H. SETTLE  
United States District Judge