

1 HONORABLE RONALD B. LEIGHTON

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

9 JOANNE OBERREUTER, et al,

10 Plaintiffs,

11 v.

12 CITY OF LA CENTER,

13 Defendant.

CASE NO. C13-5929 RBL

ORDER REMANDING MATTER TO
CLARK COUNTY SUPERIOR
COURT

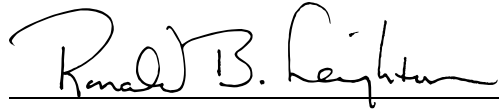
14 THIS MATTER is before the Court on its own motion. The Plaintiffs filed this action in
15 Clark County Superior Court in October of 2013. The City of La Center removed the matter to
16 this Court later that month. The complaint asserts a number of state-law claims and a 42 U.S.C. §
17 1983 takings claim. The City's sole basis for removal was the § 1983 federal question.

18 The removal was not questioned until this Court, on its own motion, asked the parties to
19 brief the issue of whether the Oberreuters' § 1983 takings claim is ripe in light of *Williamson*
20 *County Regional Planning Commission v. Hamilton Bank of Johnson City*, 473 U.S. 172, 105
21 S.Ct. 3108 (1985), and its progeny. In their briefs, both parties agree that the Oberreuters' § 1983
22 takings claim is not yet ripe, so the scheduled March 20, 2015 hearing is unnecessary and is

1 stricken. Because this Court lacks subject matter jurisdiction and removal was improper, this
2 matter is **REMANDED** to Clark County Superior Court.

3 IT IS SO ORDERED.

4 Dated this 9th day of March, 2015.

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6 RONALD B. LEIGHTON
7 UNITED STATES DISTRICT JUDGE