

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**THE BANK OF NEW YORK MELLON
TRUST COMPANY,**
Plaintiff,

v.

Case No. 12-C-0235

ALLEGRA D. WALLS, et al.,
Defendants.

ORDER

Allegra D. Walls is a defendant in a mortgage-foreclosure action that is pending in Wisconsin state court. On March 12, 2012, she filed a notice of removal of that action to this court pursuant to 28 U.S.C. § 1441. However, the notice of removal reveals no basis for federal subject matter jurisdiction. Walls appears to think that the plaintiff in the state-court action violated federal law in the course of prosecuting that action. However, any such violations would not be grounds for removing the action itself to federal court under the federal-question jurisdiction, 28 U.S.C. § 1331, because the plaintiff's complaint does not itself raise a federal question. See, e.g., Wis. Interscholastic Athletic Ass'n v. Gannett Co., Inc., 358 F.3d 614, 619 (7th Cir. 2011). To the extent Walls wishes to pursue any claims against the plaintiff in the state-court action, she must either file her own lawsuit or seek leave from the state-court judge to file such claims as a counterclaim in the state-court action. In any event, removing the state-court action itself was not a proper way of raising such claims.

Accordingly, **IT IS ORDERED** that this case is **REMANDED** to state court for lack of subject matter jurisdiction. **IT IS FURTHER ORDERED** that all other motions that plaintiff filed in this court are **DENIED** as **MOOT**.

Dated at Milwaukee, Wisconsin, this 17th day of April, 2012.

s/ _____
LYNN ADELMAN
District Judge