

ENTERED

April 10, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JACK PIDGEON, *et al*,

Plaintiffs,

VS.

CITY OF HOUSTON, *et al*,

Defendants.

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CIVIL ACTION NO. 4:18-CV-0675

ORDER

Having considered the plaintiffs' motion to remand, the Court finds that:

- (1) The Court lacks subject-matter jurisdiction over this lawsuit;
- (2) The defendant's notice of removal is time-barred;
- (3) The defendants' arguments for removal are foreclosed by the doctrines of issue and claim preclusion; and
- (4) No federal law or constitutional claim is presented by the plaintiff's pleadings. Reference(s) to federal law and/or federal law defenses do not satisfy the law governing federal jurisdiction. *Singh v. Duane Morris, LLP*, 538 F.3d 334 (5th Cir. 2008).

It is, therefore, ORDERED that this case is remanded to the 310th District Court of Harris County, Texas, pursuant to 28 U.S.C. § 1447(c).

The Court also finds that the defendants had no objectively reasonable basis for removal, and the plaintiffs are entitled to recover an attorney's fee. *See* § 1447(c)(3). Counsel for the plaintiff shall file a motion and appropriate documents for an attorney's fee award on or before April 20, 2018. Any responses by the defendant shall be filed by April 30, 2018.

It is so Ordered.

SIGNED on this 10th day of April, 2018.



Kenneth M. Hoyt
United States District Judge