

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Boris Sandoval v. Costco Wholesale Corporation

Sandoval v. Costco Wholesale Corp., No. 2:25-cv-06871-JLS-RAO (C.D. Cal. Aug. 4, 2025) · No. 2:25-cv-06871-JLS-RAO · Decided August 4, 2025

SUMMARY

The United States District Court for the Central District of California remanded the action to Los Angeles County Superior Court. The court held that Costco’s bare notice of removal, which was not accompanied by the state court pleadings required by 28 U.S.C. § 1446(a), failed to establish federal subject matter jurisdiction.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Josephine L. Staton
JURISDICTION	United States District Court for the Central District of California
DECIDED	August 4, 2025
DOCKET	2:25-cv-06871-JLS-RAO
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendant removed the action from Los Angeles County Superior Court based on alleged diversity jurisdiction. The federal district court sua sponte reviewed subject matter jurisdiction and remanded the action because the notice of removal omitted the state-court pleadings required by 28 U.S.C. § 1446(a).
STANDARD OF REVIEW	The court independently reviewed subject matter jurisdiction sua sponte. The removing party bears the burden of establishing federal jurisdiction and compliance with the removal statute.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- subject matter jurisdiction
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the federal court had an adequate basis to exercise subject matter jurisdiction when the defendant's notice of removal was unaccompanied by the state-court pleadings required by 28 U.S.C. § 1446(a).
2. Whether the action should be remanded to state court because the removing defendant failed to establish federal jurisdiction and comply with the removal filing requirements.

HOLDINGS

1. A bare notice of removal unaccompanied by the documents required under 28 U.S.C. § 1446(a) does not satisfy the removing party's burden to establish subject matter jurisdiction.

KEY QUOTATIONS

"Federal courts are courts of limited jurisdiction." (1)

"A bare Notice of Removal unaccompanied by the documents required under 28 U.S.C. § 1446(a) does not meet that burden." (2)

FACTUAL BACKGROUND

Costco removed a civil action from Los Angeles County Superior Court to federal court, asserting diversity jurisdiction. The notice of removal was not accompanied by the underlying complaint or other state-court pleadings and documents required by 28 U.S.C. § 1446(a).

PROCEDURAL HISTORY

On July 28, 2025, Costco Wholesale Corporation removed the action to the Central District of California, invoking diversity jurisdiction under 28 U.S.C. § 1332. Costco filed a notice of removal without accompanying state-court pleadings, including the complaint. The district court remanded the action to the Los Angeles County Superior Court.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The action was remanded to the Los Angeles County Superior Court, Los Angeles County case no. 25CHCV02420.

CASES CITED

- *Kokkonen v. Guardian Life Ins. Co.*, 511 U.S. 375, 377 (1994)

- United Inv’rs Life Ins. Co. v. Waddell & Reed Inc., 360 F.3d 960, 967 (9th Cir. 2004)
- Abrego Abrego v. The Dow Chemical Co., 443 F.3d 676, 685 (9th Cir. 2006)

OPINION

Boris Sandoval v. Costco Wholesale Corporation

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-06871-JLS-RAO Date: August 04, 2025 Title: Boris Sandoval v. Costco Wholesale Corporation Present: Honorable JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE Kelly Davis N/A Deputy Clerk Court Reporter Attorneys Present for Plaintiffs: Attorneys Present for Defendant: Not Present Not Present

PROCEEDINGS: (IN CHAMBERS) ORDER REMANDING ACTION TO LOS

ANGELES SUPERIOR COURT, CASE NO. 25CHCV02420

On July 28, 2025, Defendant Costco Wholesale Corporation removed this action to federal court. (Doc. 1.) Defendant invokes this Court’s diversity jurisdiction pursuant to 28 U.S.C. § 1332. (Id. ¶ 7.) “Federal courts are courts of limited jurisdiction.” Kokkonen v. Guardian Life Ins. Co., 511 U.S. 375, 377 (1994). “[T]he district court ha[s] a duty to establish subject matter jurisdiction ... sua sponte, whether the parties raise[] the issue or not.” United Inv’rs Life Ins. Co. v. Waddell & Reed Inc., 360 F.3d 960, 967 (9th Cir. 2004). As the party invoking federal jurisdiction, the removing party bears the burden of establishing it. Abrego Abrego v. The Dow Chemical Co., 443 F.3d 676, 685 (9th Cir. 2006). A defendant seeking to remove a civil case from state court must file a notice of removal in the U.S. district court for the district and division where the case is pending. 28 U.S.C. § 1446(a). This notice must include “a short and plain statement of the grounds for removal, together with a copy of all process, pleadings, and orders” that have been served upon the defendant in the action. Id. Here, Defendant filed a Notice of Removal with no accompanying state court pleadings, including the underlying complaint. As the party seeking removal, Defendant

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-06871-JLS-RAO Date: August 04, 2025 Title: Boris Sandoval v. Costco Wholesale Corporation bears the burden of establishing subject matter jurisdiction. Abrego Abrego, 443 F.3d at 685. A bare Notice of Removal unaccompanied by the documents required under 28 U.S.C. § 1446(a) does not meet that burden. Accordingly, the Court REMANDS this

action to the Los Angeles County Superior Court. Initials of Deputy Clerk: kd

CIVIL MINUTES – GENERAL 2

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