

**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.

OPINION

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

CIVIL MINUTES – GENERAL 1 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

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