

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Jesus Estrada Pelagio v. Modern Floor Specialists, et al.

Pelagio · No. 2:25-cv-06626-HDV-MBK · Decided January 6, 2026

SUMMARY

The United States District Court for the Central District of California grants Plaintiff Jesus Estrada Pelagio’s motion to remand an employment-law action to the Los Angeles Superior Court. The court concludes that the California-law claims do not present a federal question under the well-pleaded complaint rule or the Grable embedded-federal-issue doctrine, and that potential defenses based on the Immigration Reform and Control Act and Hoffman Plastic do not establish federal jurisdiction.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Hernán D. Vera
JURISDICTION	United States District Court for the Central District of California
DECIDED	January 6, 2026
DOCKET	2:25-cv-06626-HDV-MBK
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendants removed Plaintiff's California employment action to federal court, asserting federal-question and supplemental jurisdiction based on the Americans with Disabilities Act, the Family and Medical Leave Act, and federal immigration-related issues. Plaintiff moved to remand for lack of subject matter jurisdiction.
STANDARD OF REVIEW	The removing party bears the burden of establishing federal subject matter jurisdiction; failure to do so requires remand.
PRECEDENTIAL VALUE	Unknown

TOPICS

- subject matter jurisdiction
- civil procedure
- employment discrimination
- wage and hour
- immigration

PRACTICE AREAS

- civil procedure
- employment law
- immigration
- federalism
- remedies

QUESTIONS PRESENTED

1. Whether the complaint presented a federal question supporting removal under 28 U.S.C. § 1331.
2. Whether Defendants' anticipated defense based on the Immigration Reform and Control Act and *Hoffman Plastic Compounds, Inc. v. NLRB* created federal-question jurisdiction under the embedded-federal-issue doctrine.
3. Whether the action should be remanded under 28 U.S.C. § 1447(c) for lack of subject matter jurisdiction.

HOLDINGS

1. The complaint did not present a federal question because all sixteen claims were pleaded under California law and did not arise under federal law on the face of the complaint.
2. Defendants' anticipated defense concerning immigration-related limits on remedies did not create federal-question jurisdiction because a federal defense, including a preemption defense, cannot by itself support removal.
3. The complaint did not satisfy the *Grable* requirements for embedded federal-question jurisdiction because the federal issue was not necessarily raised, was not actually disputed as an element of the claims, was not substantial in the jurisdictional sense, and exercising jurisdiction would disrupt the federal-state balance.

KEY QUOTATIONS

“federal question jurisdiction exists only when a federal question is presented on the face of the plaintiff’s properly pleaded complaint.”

“a case may not be removed to federal court on the basis of a federal defense, including the defense of preemption, even if the defense is anticipated in the plaintiff’s complaint, and even if both parties concede that the federal defense is the only question truly at issue.”

“Where all four of these requirements are met, we held, jurisdiction is proper because there is a ‘serious federal interest in claiming the advantages thought to be inherent in a federal forum,’ which can be vindicated without disrupting Congress’s intended division of labor between state and federal courts.”

FACTUAL BACKGROUND

Plaintiff worked as a janitor for the corporate defendants from November 2018, performing physically strenuous overnight work in Los Angeles. He alleged wage-and-hour violations, disability discrimination, retaliation, failure to accommodate, and related California-law claims. After suffering workplace injuries on August 31, 2024, requesting medical-related accommodations, and returning from short medical leave, Plaintiff alleged that Defendants terminated him on September 6, 2024.

PROCEDURAL HISTORY

Plaintiff filed a sixteen-count complaint asserting claims exclusively under California law in the Superior Court of California, County of Los Angeles. Defendants removed the action to the Central District of California on

July 21, 2025. The district court granted Plaintiff's motion to remand, concluding that the complaint did not present a federal question and that Defendants' anticipated IRCA-related defense did not satisfy the requirements for embedded federal-question jurisdiction.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The action is remanded to the Superior Court of California, County of Los Angeles.

CASES CITED

- Abrego Abrego v. Dow Chemical Co., 443 F.3d 676, 682 (9th Cir. 2006)
- Kelton Arms Condominium Owners Association v. Homestead Insurance Co., 346 F.3d 1190, 1192 (9th Cir. 2003)
- Caterpillar Inc. v. Williams, 482 U.S. 386, 392-393 (1987)
- JustMed, Inc. v. Byce, 600 F.3d 1118, 1124 (9th Cir. 2010)
- Franchise Tax Board of the State of California v. Construction Laborers Vacation Trust for Southern California, 463 U.S. 1, 27-28 (1983)
- Hoffman Plastic Compounds, Inc. v. N.L.R.B., 535 U.S. 137 (2002)
- Merrell Dow Pharmaceuticals Inc. v. Thompson, 478 U.S. 804, 813 (1986)
- Humble v. Boeing Co., 305 F.3d 1004, 1010-1011 (9th Cir. 2002)
- Gunn v. Minton, 568 U.S. 251, 258 (2013)
- Grable & Sons Metal Products, Inc. v. Darue Engineering & Manufacturing, 545 U.S. 308, 313-314 (2005)
- Salas v. Sierra Chemical Co., 59 Cal. 4th 407, 421 (2014)
- De Canas v. Bica, 424 U.S. 351, 354-355 (1976)
- Arizona v. United States, 567 U.S. 387 (2012)
- Empire Healthchoice Assurance, Inc. v. McVeigh, 547 U.S. 677, 681 (2006)