

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

Sharon L. Stevenson v. Employment Security Dept.

Stevenson · No. 2:26-cv-00022-SAB · Decided February 17, 2026

SUMMARY

The United States District Court for the Eastern District of Washington remanded the case to Spokane County Superior Court because removal is limited to defendants under 28 U.S.C. § 1441 and Ninth Circuit precedent. The court granted the defendant’s motion to remand and dismissed the plaintiff’s motion for leave to amend as moot.

CASE DETAILS

COURT	United States District Court for the Eastern District of Washington
JURISDICTION	United States District Court for the Eastern District of Washington
DECIDED	February 17, 2026
DOCKET	2:26-cv-00022-SAB
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff attempted to remove a matter from Spokane County Superior Court to federal court. Defendant moved to remand, and Plaintiff moved for leave to file an amended complaint.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

civil procedure federalism

PRACTICE AREAS

civil procedure removal jurisdiction

QUESTIONS PRESENTED

- Whether a plaintiff may remove a civil action from state court to federal court.
- Whether Plaintiff's motion for leave to amend should be addressed after the case is remanded.

HOLDINGS

1. A plaintiff may not remove a state-court action to federal court because the federal removal statute limits the right of removal to defendants.
2. Plaintiff's motion for leave to file an amended complaint was dismissed as moot after the case was remanded.

KEY QUOTATIONS

“the right to remove a state case to federal court is limited to defendants.” (at 1)

“any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants” (at 1)

FACTUAL BACKGROUND

The underlying matter originated in Spokane County Superior Court. Sharon L. Stevenson, the plaintiff in the captioned federal proceeding, attempted to remove the state-court matter to federal court on January 15, 2026. Defendant Employment Security Department sought remand, while Stevenson sought leave to amend her complaint.

PROCEDURAL HISTORY

Plaintiff ostensibly removed the state-court matter to the Eastern District of Washington on January 15, 2026. The court granted Defendant's motion to remand because removal is limited to defendants, dismissed Plaintiff's motion for leave to amend as moot, directed remand to Spokane County Superior Court, and ordered the federal file closed.

DISPOSITION

remanded

REMAND INSTRUCTIONS

Remand the case to Spokane County Superior Court. Defendant's motion to remand was granted, Plaintiff's motion for leave to file an amended complaint was dismissed as moot, and the federal file was ordered closed.

CASES CITED

- Am. Int'l Underwriters (Philippines), Inc. v. Cont'l Ins. Co., 843 F.2d 1253, 1260 (9th Cir. 1988)

OPINION

Stevenson

PER CURIAM.

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FILED IN THE

2 U.S. DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

3 Feb 17, 2026

4 SEAN F. MCAVOY, CLERK

5 IN THE UNITED STATES DISTRICT COURT

6 EASTERN DISTRICT OF WASHINGTON

7

8 SHARON L. STEVENSON,

9 Plaintiff, No. 2:26-cv-00022-SAB 10 v.

11 EMPLOYMENT SECURITY DEPT., ORDER OF REMAND

12 Defendant. 13

14 Before the Court are Plaintiff's Motion for Leave to File Amended 15 Complaint, ECF No. 7, and Defendant's Motion to Remand, ECF No. 9. Plaintiff is 16 appearing pro se. Defendant is represented by Marya E. Colignon and Nicholas 17 Quijas. The Motions were considered without oral argument. 18 Plaintiff ostensibly removed this matter from Spokane County Superior 19 Court on January 15, 2026. However, the Ninth Circuit has explicitly held that the 20 right to remove a state case to federal court is limited to defendants. *Am. Int'l 21 Underwriters (Philippines), Inc. v. Cont'l Ins. Co.*, 843 F.2d 1253, 1260 (9th Cir. 22 1988); see also 28 U.S.C. § 1441. Section 1441(a) ("any civil action brought in a 23 State court of which the district courts of the United States have original 24 jurisdiction, may be removed by the defendant or the defendants") (emphasis 25 added). 26 Accordingly, IT IS HEREBY ORDERED: 27 1. The above-captioned case is REMANDED to Spokane County 28 Superior Court. 1 2. Defendant's Motion to Remand, ECF No. 9, is GRANTED.

3. Plaintiff's Motion for Leave to File Amended Complaint, ECF No. 7,

DISMISSED AS MOOT. IT IS SO ORDERED. The District Court Executive is hereby directed to 5|| file this Order, provide copies to counsel, and close the file. DATED this 17th day of February 2026. 10 Chief United States District Judge 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28