

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Amar Pramod Amte v. Equifax Information Services LLC, et al.

Amte v. Equifax · No. 8:25-cv-00384-FWS-JDE · Decided March 3, 2025

SUMMARY

The United States District Court for the Central District of California sua sponte remanded the case to Orange County Superior Court for lack of subject matter jurisdiction. The court held that the complaint asserted only a state-law claim and did not present a federal question, and the defendant did not contend that diversity jurisdiction existed. The court denied the plaintiff's motion to remand as moot and vacated the scheduled hearing.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fred W. Slaughter
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 3, 2025
DOCKET	8:25-cv-00384-FWS-JDE
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendant removed a state-law consumer credit reporting action from Orange County Superior Court. Defendant later moved to remand, and the district court sua sponte remanded for lack of subject matter jurisdiction and denied the motion to remand as moot.
STANDARD OF REVIEW	The removing defendant bears the burden of establishing federal subject matter jurisdiction, and removal statutes are strictly construed against removal. The court independently determines whether subject matter jurisdiction exists and may remand sua sponte when it does not.
PRECEDENTIAL VALUE	unpublished
PARTIES	Amar Pramod Amte v. Equifax Information Services LLC

TOPICS

- subject matter jurisdiction
- civil procedure
- federalism
- consumer protection

PRACTICE AREAS

Federal jurisdiction

Removal and remand

Consumer credit reporting

QUESTIONS PRESENTED

1. Whether the district court had federal-question jurisdiction over a complaint asserting only a California Consumer Credit Reporting Agencies Act claim.
2. Whether the action should be remanded sua sponte for lack of subject matter jurisdiction.
3. Whether Defendant's motion to remand should be denied as moot after the court independently ordered remand.

HOLDINGS

1. Federal-question jurisdiction was absent because no federal question appeared on the face of Plaintiff's properly pleaded complaint, which asserted only a state-law claim.
2. The court could and did remand the action sua sponte because the case was not properly removed and the court lacked subject matter jurisdiction.

KEY QUOTATIONS

“A defendant may remove a civil action filed in state court to a federal district court if the federal court would have had original jurisdiction over the action.” (at 1)

“A “court may—indeed must—remand an action sua sponte if it determines that it lacks subject matter jurisdiction.”” (at 2)

“Under the “well-pleaded complaint rule,” federal question jurisdiction is present only when “a federal question is presented on the face of the plaintiff’s properly pleaded complaint.”” (at 2)

FACTUAL BACKGROUND

Plaintiff filed a state-court action asserting a single claim against Equifax for violation of the California Consumer Credit Reporting Agencies Act. Defendant removed the action based on the erroneous assertion that the complaint also asserted a Fair Credit Reporting Act claim. Defendant later conceded that removal was erroneous and requested remand because the claims did not invoke federal law.

PROCEDURAL HISTORY

Plaintiff filed a single claim under the California Consumer Credit Reporting Agencies Act in Orange County Superior Court. Defendant removed the action, erroneously asserting that the complaint included claims under the Fair Credit Reporting Act and the California statute. Defendant subsequently acknowledged that removal was erroneous and moved to remand. The district court determined that the complaint presented no federal question and that diversity jurisdiction was not asserted, so it remanded the case to state court and denied the motion as moot.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The case is remanded to Orange County Superior Court in case number 30-2025-01455095-CU-BT-CJC. Defendant's motion to remand is denied as moot, and the April 3, 2025 hearing is vacated and removed from the calendar.

CASES CITED

- Shamrock Oil & Gas Corp. v. Sheets, 313 U.S. 100, 109 (1941)
- United States v. Ceja-Prado, 333 F.3d 1046, 1051 (9th Cir. 2003)
- Gaus v. Miles, Inc., 980 F.2d 564, 566 (9th Cir. 1992)
- GFD, LLC v. Carter, 2012 WL 5830079, at *2 (C.D. Cal. Nov. 15, 2012)
- Caterpillar Inc. v. Williams, 482 U.S. 386, 392 (1987)

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