

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

207 Seaside Partners LLC v. Andrew Knight

207 Seaside Partners · No. CV 25-2906-DMG (ASx) · Decided April 9, 2025

SUMMARY

The United States District Court for the Central District of California sua sponte remands an unlawful detainer action to the Los Angeles County Superior Court for lack of subject matter jurisdiction. The court concludes that federal-question jurisdiction, removal under 28 U.S.C. § 1443, bankruptcy jurisdiction, and diversity jurisdiction are not established.

CASE DETAILS

COURT	United States District Court for the Central District of California
JURISDICTION	United States District Court for the Central District of California
DECIDED	April 9, 2025
DOCKET	CV 25-2906-DMG (ASx)
DISPOSITION	remanded
PROCEDURAL POSTURE	The defendant removed a California unlawful detainer action to federal district court. The district court sua sponte reviewed the notice of removal and state-court records and remanded the action for lack of subject matter jurisdiction.
STANDARD OF REVIEW	The district court independently reviewed subject matter jurisdiction and the notice of removal, including sua sponte consideration of whether federal jurisdiction existed.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- subject matter jurisdiction
- civil procedure
- ejectionment
- landlord tenant
- affirmative defenses

PRACTICE AREAS

- civil procedure
- real estate
- landlord tenant

QUESTIONS PRESENTED

1. Whether the federal district court had subject matter jurisdiction over the removed California unlawful detainer action.
2. Whether federal affirmative defenses could establish federal-question jurisdiction.
3. Whether removal was authorized under 28 U.S.C. § 1443.
4. Whether bankruptcy or diversity jurisdiction supported removal.
5. Whether the removing party's status and the allegations concerning citizenship and amount in controversy satisfied the requirements for removal.

HOLDINGS

1. The court lacked subject matter jurisdiction over the removed unlawful detainer action and was required to remand it to California state court.
2. Federal affirmative defenses do not create federal-question jurisdiction or make a state-court action removable.
3. The defendant failed to establish a basis for removal under either subsection of 28 U.S.C. § 1443.
4. The underlying unlawful detainer action did not arise under Title 11, so 28 U.S.C. § 1334 did not provide a basis for federal jurisdiction.
5. Diversity jurisdiction was not established because complete diversity and the amount-in-controversy requirement were lacking or inadequately alleged, and the action was a limited civil unlawful detainer proceeding not exceeding \$25,000.

KEY QUOTATIONS

“The right of removal is entirely a creature of statute and ‘a suit commenced in a state court must remain there until cause is shown for its transfer under some act of Congress.’” (Order at 1)

“Under the plain terms of § 1441(a), in order properly to remove [an] action pursuant to that provision, [the removing defendant] must demonstrate that original subject-matter jurisdiction lies in the federal courts.” (Order at 1)

“If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.” (Order at 1)

FACTUAL BACKGROUND

The underlying action was an unlawful detainer proceeding governed by California law. The removing defendant relied on asserted federal affirmative defenses and invoked federal-question, civil-rights-removal, bankruptcy, and diversity jurisdiction. The complaint did not plead a federal claim, the action did not arise under Title 11, the parties and amount in controversy did not establish diversity jurisdiction, and the removing party was not alleged to be a named defendant in the state complaint.

PROCEDURAL HISTORY

207 Seaside Partners, LLC filed an unlawful detainer action in the Superior Court of California for Los Angeles County. Andrew Knight removed the action to the Central District of California, asserting federal-question, civil-rights-removal, bankruptcy, and diversity grounds. The district court concluded that none supported federal jurisdiction and remanded the case to state court.

DISPOSITION

remanded

REMAND INSTRUCTIONS

Remand the action to the Superior Court of California for the County of Los Angeles for lack of subject matter jurisdiction.

CASES CITED

- Syngenta Crop Prot., Inc. v. Henson, 537 U.S. 28, 32-33 (2002)
- Great N. Ry. Co. v. Alexander, 246 U.S. 276, 280 (1918)
- Nevada v. Bank of Am. Corp., 672 F.3d 661, 667 (9th Cir. 2012)
- Gaus v. Miles, Inc., 980 F.2d 564, 566-67 (9th Cir. 1992)
- Dennis v. Hart, 724 F.3d 1249, 1252 (9th Cir. 2013)
- Abrego Abrego v. Dow Chem. Co., 443 F.3d 676, 682 (9th Cir. 2006)
- Kelton Arms Condo. Owners Ass'n v. Homestead Ins. Co., 346 F.3d 1190, 1192 (9th Cir. 2003)
- Emrich v. Touche Ross & Co., 846 F.2d 1190, 1194 n.2 (9th Cir. 1988)
- ARCO Env't Remediation, L.L.C. v. Dep't of Health & Env't Quality, 213 F.3d 1108, 1113 (9th Cir. 2000)
- Berg v. Leason, 32 F.3d 422, 426 (9th Cir. 1994)
- Franchise Tax Bd. v. Constr. Laborers Vacation Tr., 463 U.S. 1, 14 (1983)
- Patel v. Del Taco, Inc., 446 F.3d 996, 999 (9th Cir. 2006)
- Bogart v. California, 355 F.2d 377, 381-82 (9th Cir. 1966)
- City of Greenwood v. Peacock, 384 U.S. 808, 824 & n.22 (1966)
- Dart Cherokee Basin Operating Co. v. Owens, 574 U.S. 81, 89 (2014)
- Sharma v. HSI Asset Loan Obligation Tr. 2007-1, 23 F.4th 1167, 1170-71 (9th Cir. 2022)