

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, TAMPA DIVISION**

**Michael James Longs Bey v. Suncoast Credit Union, Stacey Bandy,
John 1-5 Does**

Bey · No. 8:25-cv-2879-KKM-TGW · Decided December 1, 2025

OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA TAMPA DIVISION
MICHAEL JAMES LONGS BEY, Plaintiff, v. Case No: 8:25-cv-2879-KKM-TGW SUNCOAST
CREDIT UNION, STACEY BANDY, JOHN 1-5 DOES, Defendants.

_____ ORDER After Defendants Suncoast Credit Union and
Stacey Bandy removed this action from the Circuit Court of the Thirteenth Judicial District in and
for Hillsborough County, Florida, Notice of Removal (Doc.

1), Plaintiff Michael James Longs Bey moved to amend his complaint and remand the action.
Mot. to Amend (Doc. 12); Mot. to Remand (Doc. 11). Suncoast consents to remand and Bandy did
not respond to Bey’s motions. Notice of Consent (Doc. 13).

Because Bey’s action no longer presents a federal question of law, I grant Bey’s motion and
remand this action. Bey sued Suncoast, Bandy, and “John Does 1–5” in Florida state court
alleging violations of thirteen state-law causes of action. Compl. (Doc. 1-4).

On October 12, 2025, Bey amended his complaint to add federal law claims under 42 U.S.C. §
1981 and 42 U.S.C. § 1985. Notice of Removal at 2; Mot. to Remand at 2. On October 23, 2025,
Suncoast and Bandy timely removed to this Court. Notice of Removal.

On November 4, 2025, Bey moved to remand the action to state court, Mot. to Remand and
moved to amend his complaint by withdrawing his federal law claims, Mot. to Amend. Though
Bey styled the latter motion as a “Motion to Withdraw,” I construe it as a motion to amend under
Rule 15 and grant the motion. Suncoast consents to remand “to the extent Plaintiff proceeds to
amend the complaint to eliminate reference to federal law.” Notice of Consent at 2.

A defendant may remove state court actions to federal court if they “originally could have been
filed in federal court.” *Caterpillar Inc. v. Williams*, 482 U.S. 386, 392 (1987). United States
district courts have original jurisdiction over “all civil actions arising under the Constitution, laws,
or treaties of the United States” or if the parties are of diverse citizenship and the amount in
controversy exceeds \$75,000.

See 28 U.S.C. §§ 1331, 1332(a). If a plaintiff amends his complaint, the court must “look to the amended complaint to determine jurisdiction.” *Royal Canin U. S. A., Inc. v. Wullschleger*, 604 U.S. 22, 43 (2025). “If (as here) the plaintiff eliminates the federal-law claims that enabled removal, leaving only state-law claims behind, the court’s power to decide the dispute dissolves.” *Id.* at 49.

Here, Bey moved to amend his complaint and remove all federal claims. Mot. to Amend. As a result, this Court no longer has subject matter jurisdiction over the action. Still, jurisdictional restraint does not sanction gamesmanship. Bey may not add back the federal claims once in state court to avoid federal court jurisdiction.

Accordingly, the following is ORDERED: 1. Plaintiffs motion to remand (Doc. 11) is GRANTED. 2. Plaintiff's motion to amend (Doc. 12) is GRANTED. 3. Plaintiffs motion to file electronically (Doc. 10) is DENIED as moot. 4.

The Clerk is directed to REMAND this action to the Circuit Court of the Thirteenth Judicial Circuit, in and for Hillsborough County, Florida, and to transmit a certified copy of this order to the clerk of that court. 5.

The Clerk is further directed to TERMINATE all pending motions and deadlines, and to CLOSE this case. ORDERED in Tampa, Florida, on December 1, 2025. athryn’Kimball Mizelle United States District Judge