

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

CELISHA TOWERS,

Plaintiff,

v.

DANIEL SOPTIC, et al.,

Defendants.

Case No. 2:21-cv-02564-HLT-TJJ

ORDER

Pro se Plaintiff Celisha Towers¹ initially filed this case in Kansas state court. Plaintiff subsequently filed a notice of removal. Doc. 1. The notice cites 28 U.S.C. § 1441 as grounds for removal. *Id.* at 2.

Under 28 U.S.C. § 1441(a), certain cases initially brought in state court “may be removed by the defendant or the defendants” But the statute does not permit removal by a plaintiff. *See Montero v. Tulsa Airport Improvements Trust*, 770 F. App’x 439, 440 (10th Cir. 2019). Accordingly, the Court lacks jurisdiction and must remand this case to state court. *See id.* at 440-41 (directing the federal district court to remand case removed by plaintiff to state district court).

THE COURT THEREFORE ORDERS that this case is REMANDED to the District Court of Wyandotte County, Kansas. The Court directs the Clerk of Court to take all necessary steps to effectuate this remand.

IT IS SO ORDERED.

Dated: December 2, 2021

/s/ Holly L. Teeter

HOLLY L. TEETER

UNITED STATES DISTRICT JUDGE

¹ Because Plaintiff proceeds pro se, her pleadings are construed liberally and held to a less stringent standard, but the Court does not assume the role of advocate. *See Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991).