

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**TONYA CHERYL MOSES,**

\*

\*

**Plaintiff,**

\*

\*

**-vs-**

\*

**CIVIL ACTION NO. 3:06CV154-DRB**

\*

**ALLSTATE INDEMNITY COMPANY,  
EDDIE WATTS, DEXTER WALDEN,**

\*

\*

\*

**Defendants.**

\*

**PLAINTIFF'S RENEWED  
MOTION TO REMAND TO STATE COURT**

COMES NOW the Plaintiff in the above styled cause and moves this Honorable Court to remand this action to state court pursuant to 28 U.S.C. §1447(c). The basis for the requested relief is that this Court no longer has jurisdiction over this matter in that there is less than \$75,000 in controversy between the parties. In support of this motion, the Plaintiff shows unto the Court that she filed a stipulation that the amount in controversy is less than the jurisdictional amount of this Court. (Document #14)

“If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.” 28 U.S.C. § 1447(c). The Plaintiff has now stipulated that she is not requesting nor will she accept more than \$75,000 in damages in this matter and there are no federal questions presented. Thus, this Court no longer has jurisdiction and remand is appropriate.

WHEREFORE, based upon the pleadings in the case, the Plaintiff requests that this case be immediately remanded to the Circuit Court of Russell County, Alabama so that it may be timely tried.

/s/Christina D. Crow  
CHRISTINA D. CROW  
ATTORNEY FOR THE PLAINTIFF

OF COUNSEL:  
JINKS, DANIEL & CROW , P.C.  
P. O. BOX 350  
UNION SPRINGS, AL. 36089  
(334) 738-4225

/s/ Joseph G. Stewart  
JOSEPH G. STEWART  
ATTORNEY FOR THE PLAINTIFF

OF COUNSEL:  
JOSEPH G STEWART, ESQ.  
P. O. BOX 911  
MONTGOMERY ALABAMA 36101-0911

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing document upon the following by efileing a copy of the same on this 28<sup>th</sup> day of June, 2006:

Thomas E. Bazemore, III, Esq.  
Gordon J. Brady, III, Esq.  
Huie, Fernambucq & Stewart, LLP  
The Protective Center  
2801 Highway 280 South, Suite 200  
Birmingham, Alabama 35223

/s/Christina D. Crow  
OF COUNSEL