

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

KENNETH GOMEZ

Plaintiff,

vs.

10-CV-594 JAP/LFG

ELEVENTH JUDICIAL DISTRICT COURT,

Defendant.

ORDER OF REMAND

Contemporaneously with the entry of this Order of Remand, the Court entered its Memorandum Opinion and Order that dismissed all of Plaintiff's claims asserted in the Second Amended Complaint To Void Judgment And For Writ Of Quo Warranto (Doc. No. 8-1) ("Second Amended Complaint") under federal constitutional and statutory law. Therefore, only state law claims, if any, remain. It is unclear from Plaintiff's Second Amended Complaint whether Plaintiff has alleged one or more causes of action under New Mexico state law. Given the fact that Plaintiff filed this case in state court, Plaintiff may be attempting to assert state law claims. This Court has supplemental jurisdiction over any of Plaintiff's state law claims; however, in its discretion, the Court may decline to exercise that jurisdiction. 28 U.S.C. § 1367(c) (stating, "[t]he district courts may decline to exercise supplemental jurisdiction over a claim . . . if . . . the district court has dismissed all claims over which it has original jurisdiction").

IT IS ORDERED that all of Plaintiff's state law claims, if any, asserted in the Second Amended Complaint are remanded to the Eleventh Judicial District Court, State of New Mexico.


UNITED STATES SENIOR DISTRICT JUDGE