

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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PRINCE ATUM-RA UHURU MUTAWAKKIL,  
also known as NORMAN GREEN,

Plaintiff,

v.

PETER HUIBREGTSE, JUDITH HUIBREGTSE,  
LEBBEUS BROWN, CHAD LOMEN,  
ELLEN RAY, BRIAN KOOL  
and DIANE ALDERSON

Defendants.  
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ORDER

11-cv-471-bbc

Plaintiff Prince Atum-Ra Uhuru Mutawakkil has filed a motion to remand the case to state court. Dkt. #11. I am denying the motion.

Defendants removed this case from the Circuit Court for Dane County on July 8, 2011. In an order dated September 7, 2011, dkt. #7, I remanded plaintiff's state law claims, but retained jurisdiction over the federal law claims. Plaintiff is seeking to remand the federal claims as well, primarily on the ground that defendants have engaged in "forum shopping." However, under 28 U.S.C. § 1441, defendants had the right to remove the

federal claims to federal court, regardless of their motivation for removal. Simply put, “a plaintiff cannot deny a defendant access to federal court if the actual nature of the complaint is federal.” Doe v. Allied-Signal, Inc., 985 F.2d 908, 911 (7th Cir. 1993). Because all the remaining claims arise under the Constitution or a federal statute, I have no authority to relinquish jurisdiction over the case.

#### ORDER

IT IS ORDERED that plaintiff Prince Atum-Ra Uhuru Mutawakkil’s motion to remand, dkt. #11, is DENIED.

Entered this 8th day of November, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge