

January 3, 2012

UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker
Clerk of Court

FOR THE TENTH CIRCUIT

PROGRESSIVE CASUALTY
INSURANCE COMPANY,

Petitioner,

v.

LAURA L. SCHATKE,

Respondent.

No. 11-704
(D.C. No. 1:11-CV-02305-MSK-KMT)

ORDER

Before **BRISCOE**, Chief Circuit Judge, **KELLY** and **MURPHY**, Circuit Judges.

This matter is before the court on the Petition for Permission to Appeal filed by the defendant below, in which it seeks review of the district court order granting the plaintiff's motion to remand to the state court, *see* 28 U.S.C. § 1453(c), and the response filed thereto. Upon review of the pleadings, as well as the applicable law, we conclude that an appeal is not warranted.

Accordingly, the petition is **DENIED**.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script, appearing to read "Ellen Rich Reiter".

Ellen Rich Reiter
Deputy Clerk/Jurisdictional Attorney