
Second Circuit Limits the Authority of Federal Magistrate Judges In Connection With Motions to Remand Actions to State Court

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In a decision issued on May 28, 2008, the Court of Appeals for the Second Circuit limited the authority of Federal Magistrate Judges by holding that they do not have the power to remand cases to state court. The Second Circuit joined the Third, Sixth and Tenth Circuits in holding that a motion to remand a case back to the state court from which it was removed is considered to be a dispositive matter and not within the authority of a Federal Magistrate Judge.

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