

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

July 31, 2020

Lyle W. Cayce
Clerk

No. 19-30590
Summary Calendar

RICHARD EDWARD HUNT,

Plaintiff—Appellee,

versus

ISSIS R. ARIAS-ELWIN,

Defendant—Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
No. 2:18-CV-4243

Before KING, SMITH, and WILSON, *Circuit Judges.*

PER CURIAM:*

The appellant, Issis Arias-Elwin, filed a notice of removal of a state-court action instituted to establish paternity and child-support obligations. Arias-Elwin asserted two bases for what she termed “bankruptcy removal”

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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and two bases for “civil rights removal.” Concluding that it lacked subject-matter jurisdiction, the district court *sua sponte* remanded to state court.

The district court supported its ruling with a concise but thorough Orders & Reasons filed February 19, 2019. On appeal, Arias-Elwin primarily asks this court to call into question our and the Supreme Court’s “overly restricted judicial construction” to restore “a proper balance between the state and federal judiciary and their court systems.”

Even if, *arguendo*, we were convinced that binding precedent is in error, our rule of orderliness precludes overruling our caselaw; nor can we diverge from the plain text of statutes or applicable Supreme Court decisions. The district court carefully explained why it had no jurisdiction under that governing authority. The order of remand is AFFIRMED, essentially for the reasons convincingly set forth by the district court. Any pending motions are DENIED.