

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DONNA L. WRAY,

Plaintiff,

v.

Case No: 8:17-cv-2449-T-36CPT

THOMAS PETERSEN, NANCY
PETERSEN and STUART M. SHULL,

Defendants.

ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Christopher P. Tuite on July 17, 2018 (Doc. 28). In the Report and Recommendation, Magistrate Judge Tuite recommends that the Court: 1) Grant Defendant Thomas Petersen's motion to dismiss (Doc. 14); 2) Dismiss *sua sponte* the remaining claims against Defendants Nancy Petersen and Stuart Schull; 3) Deny Defendant Thomas Petersen's request to classify the Plaintiff as a "vexatious litigant;" and 4) Direct the Clerk to close the case and terminate any other pending motions. All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed.

Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted. Accordingly, it is now

ORDERED AND ADJUDGED:

- (1) The Report and Recommendation of the Magistrate Judge (Doc. 28) is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.
- (2) Defendant Thomas Petersen's Motion to Dismiss and Motion to Classify Plaintiff as a Vexatious Litigant (Doc. 14) is **GRANTED in part and DENIED in part**. The motion is denied as to Defendant Thomas Petersen's request to classify Plaintiff as a "vexatious litigant". The motion is granted in all other respects as the Court lacks personal jurisdiction over Defendant Thomas Petersen.
- (3) Plaintiff's claims against Defendants Nancy Petersen and Stuart Schull are dismissed *sua sponte* for lack of personal jurisdiction.
- (4) The Clerk is directed to terminate all pending motions and close this file.

DONE AND ORDERED at Tampa, Florida on August 3, 2018.


Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Christopher P. Tuite
Counsel of Record