

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

SCOTT J. BAKER,

Plaintiff,

v.

Case No. 6:18-cv-1593-Orl-37GJK

KIMBERLY BROWN,

Defendant.

---

**ORDER**

*Pro se* Plaintiff initiated this action against Defendant in state court. (Doc. 2 (“**Complaint**”).) Defendant removed the action to this Court on September 25, 2018, purportedly based on federal question jurisdiction. (Doc. 1.) Defendant also filed a motion to proceed *in forma pauperis* (Doc. 3 (“**IFP Motion**”).) On referral, U.S. Magistrate Judge Gregory J. Kelly recommends denying the IFP Motion and remanding the case to state court because this Court lacks jurisdiction. (Doc. 5 (“**R&R**”).)

The parties did not object to the R&R, and the time for doing so has now passed. As such, the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at \*1 (M.D. Fla. Jan. 28, 2016); *see also Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006). Finding no error, the Court concludes that the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. U.S. Magistrate Judge Gregory J. Kelly’s Report and Recommendation

(Doc. 5) is **ADOPTED, CONFIRMED**, and made a part of this Order.

2. Defendant Kimberly Brown's Motion for Leave to Proceed *in forma pauperis* (Doc. 3) is **DENIED**.

3. This case is **REMANDED** to the County Court, in and for Seminole County, Florida.

4. The Clerk is **DIRECTED** to close the file.

**DONE AND ORDERED** in Chambers in Orlando, Florida, on October 12, 2018.



  
ROY B. DALTON JR.  
United States District Judge

Copies to:  
Counsel of Record  
*Pro Se* Party  
The County Court, in and for Seminole County, Florida.