

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

STATE OF FLORIDA,

Plaintiff,

v.

Case No: 6:18-cv-1937-Orl-40TBS

JOAO MORALES,

Defendant.

_____ /

ORDER

This cause is before the Court on Magistrate Judge Thomas B. Smith's November 19, 2018, Report & Recommendation. (Doc. 3 (the "**Report**")). In this matter, *pro se* Defendant seeks to remove an ongoing state court criminal prosecution to this court. (Doc. 1). In support, Defendant cites several bases for federal court jurisdiction, none of which are valid of course. (See Docs. 1, 3). As Magistrate Judge Smith correctly noted in the Report, this Court lacks subject matter jurisdiction over Defendant's case. (See Doc. 3). This case is therefore due to be remanded immediately.

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

1. The Report (Doc. 3) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. This case is remanded to the Circuit Court of the Ninth Judicial Circuit in and for Osceola County, Florida.
3. The Clerk of Court is **DIRECTED** to send a certified copy of this Order to the Clerk of Court for the Circuit Court of the Ninth Judicial Circuit in and for Osceola County, Florida.

4. The Clerk of Court is thereafter **DIRECTED** to terminate all pending deadlines and close the file.

DONE AND ORDERED in Orlando, Florida on November 20, 2018.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties