

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

ZITA BATOR,

Plaintiff,

v.

Case No: 6:24-cv-1855-CEM-DCI

**NATIONWIDE MORTGAGE
SOLUTIONS, et. al.,**

Defendants.

REPORT AND RECOMMENDATION

Pending before the undersigned is Plaintiff's "Motion for Change of Venue to the Jacksonville Division of the FLMD, Pursuant to 28 U.S.C. 1404 and FLMD Local Rule 1.04." Doc. 14 (the Motion). Plaintiff, proceeding *pro se*, initiated this action through the Court's e-portal and the case was assigned to the Orlando Division. *See* Doc. 1. Plaintiff, however, intended for the case to be heard in the Jacksonville Division as the "action relates to mortgage fraud issue pertain to real property located in Middleburg, Clay County, Florida" and "records and witnesses pertaining to this action are located in Clay County, Florida." *Id.* at 2. Accordingly, Plaintiff requests that the Court transfer venue to the Jacksonville Division. *Id.* at 3.

Indeed, after an examination of the pleading, it appears that this case should be transferred because the events giving rise to the action occurred in a county within the Jacksonville Division. *See* 28 U.S.C. § 1391, 28 U.S.C. § 1406(a), and Local Rule 1.04.¹

¹Some of the Florida Defendants are located, and potentially reside, in counties within the Jacksonville Division and no Defendants allegedly reside within the Orlando Division. *See* Doc. 5 at 2.

Accordingly, it is **RECOMMENDED** that the Court:

1. **GRANT** Plaintiff's Motion (Doc. 14); and
2. **TRANSFER** this case to the Jacksonville Division of the Middle District of Florida for all further proceedings.

NOTICE TO PARTIES

The party has fourteen days from the date the party is served a copy of this report to file written objections to this report's proposed findings and recommendations or to seek an extension of the fourteen-day deadline to file written objections. 28 U.S.C. § 636(b)(1)(C). A party's failure to serve and file written objections waives that party's right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. *See* 11th Cir. R. 3-1; 28 U.S.C. § 636(b)(1).

Recommended in Orlando, Florida on December 5, 2024.



DANIEL C. IRICK
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Presiding District Judge
Counsel of Record
Unrepresented Party
Courtroom Deputy