

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**NOT FOR PUBLICATION**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Justin Sloan Medved,

Plaintiff,

v.

Michael Patrick Medved,

Defendant.

No. CV-14-02242-PHX-DKD

**ORDER**

Pending before the Court is the Report and Recommendation of Magistrate Judge David K. Duncan, recommending that the Court dismiss Plaintiff's Complaint with prejudice. (Doc. 6, Report and Recommendation ("R & R").) Plaintiff filed his Objection to the Report and Recommendation. (Doc. 7, Obj. to R & R.) In his Report and Recommendation, the Magistrate Judge concluded that Plaintiff's claims must be dismissed for lack of jurisdiction. (R & R at 3.) The Magistrate Judge also noted:

[T]he substance of this Complaint has already been addressed by two other judges of this Court. District Judge Tuchi dismissed with prejudice a complaint which is nearly identical to the Complaint in this case. *See* CV-14-2005-PHX-JJT. District Judge Snow then dismissed a nearly identical Complaint on the same grounds. *See* CV-14-2076-PHX-GMS.

....

As Judge Tuchi pointed out in his Order, Plaintiff's claims and the disputes he describes are not among those matters which are permitted to be heard in federal court. Any such claims may only be entertained in a court of general jurisdiction such as a state trial court.

(*Id.* at 1-3.)

1 Plaintiff objected to the Magistrate Judge's conclusion that the Court lacks subject  
2 matter jurisdiction over his claims. (*See* Obj. to R & R.) Pursuant to 28 U.S.C. §  
3 636(b)(1), the Court has conducted a de novo review of this case and has fully considered  
4 the Plaintiff's objections. Plaintiff's objections to the Report and Recommendation fail to  
5 present any evidence to the Court to demonstrate factual error in the Magistrate Judge's  
6 findings and fail to cite any law or legal authority to show legal error in the Magistrate  
7 Judge's legal analysis. The Court agrees with the Magistrate Judge that this Court lacks  
8 jurisdiction over Plaintiff's claims.

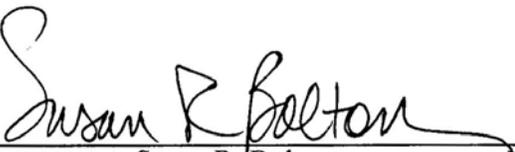
9 **IT IS ORDERED** overruling the Objection to the Magistrate Judge's Report and  
10 Recommendation (Doc. 7).

11 **IT IS FURTHER ORDERED** adopting the Report and Recommendation of the  
12 Magistrate Judge as the Order of this Court (Doc. 6).

13 **IT IS FURTHER ORDERED** directing the Clerk of the Court to enter judgment  
14 accordingly.

15 Dated this 18th day of November, 2014.

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

  
\_\_\_\_\_  
Susan R. Bolton  
United States District Judge