

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

WELLS FARGO BANK, N.A.,

Plaintiff,

v.

Case No. 3:14-cv-844-J-32MCR

KENNETH NEWTON, et al.,

Defendants.

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**ORDER**

This case is before the Court on Defendant Kenneth Newton's Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form) (Doc. 3), which the Court construes as a motion to proceed in forma pauperis. On August 12, 2014, the assigned United States Magistrate Judge issued a Report and Recommendation (Doc. 5) recommending that the motion to proceed in forma pauperis be denied and that the case be remanded to the Circuit Court for the Fourth Judicial Circuit in and for Duval County, Florida.

No objections were filed, and the time in which to do so has now passed. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); M.D. Fla. R. 6.02(a). Upon independent review of the file and for the reasons stated in the Report and Recommendation (Doc. 5), it is hereby

**ORDERED:**

1. The Report and Recommendation of the Magistrate Judge (Doc. 5) is

**ADOPTED** as the opinion of the Court.

2. Defendant Kenneth Newton's Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form) (Doc. 3) is **DENIED**.

3. This case is remanded to the Circuit Court for the Fourth Judicial Circuit in and for Duval County, Florida. After remand has been effected, the Clerk should terminate all pending motions and deadlines and close the file.

**DONE AND ORDERED** at Jacksonville, Florida this 1st day of October, 2014.



TIMOTHY J. CORRIGAN  
United States District Judge

bjb

Copies to:

Honorable Monte C. Richardson  
United States Magistrate Judge

Counsel of Record

Pro se defendant