

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

ATCO PARTS, INC.,

Plaintiff,

-vs-

Case No. 6:09-cv-687-Orl-22DAB

**EMILIE GARRISON, and DANIEL
JAMES,**

Defendants.

ORDER

This cause is before the Court on the Report and Recommendation (Doc. No. 5) filed on April 23, 2009.

The United States Magistrate Judge has submitted a report recommending that the matter be remanded for lack of jurisdiction.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendations.


Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation filed April 23, 2009 (Doc. No. 5) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. This case is hereby **REMANDED** to the Circuit Court for the Ninth Judicial Circuit, in and for Orange County, Florida (Case No. 48-2009-CA-007189-0, Div. 43).
3. The Clerk is directed to **CLOSE** the file.

DONE and **ORDERED** in Chambers, in Orlando, Florida on May 13, 2009.

Copies furnished to:

Counsel of Record


ANNE C. CONWAY
United States District Judge