

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

MARY D. CONKLIN,

Plaintiff,

-vs-

Case No. 6:12-cv-541-Orl-28KRS

ANNELISE POTACZALA-DANIELS, et al,

Defendants.

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ORDER

This case is before the Court on Defendant Kids Central, Inc.'s Motion to Dismiss (Doc. No. 12) filed August 19, 2011, Motion to Dismiss on Behalf of the Florida Statewide Guardian Ad Litem Program, Nicole Henry, Ronald Gamble, Circuit Judge Michael Takac and Circuit Judge Heidi Davis (Doc. No. 21) filed September 16, 2011, and Motion to Withdraw Appearance (Doc. No. 38), filed April 25, 2012. The United States Magistrate Judge has submitted a report recommending that the motions to dismiss be granted in part, and the motion to withdraw be granted.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed,¹ the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation. Therefore, it is **ORDERED** as follows:

¹ A "Notice of No Objection to Report & Recommendation" was filed by counsel for Plaintiff on May 22, 2012 (Doc. 47). On June 7, 2012, Plaintiff filed a document titled "Motion to Stop Notice of No Objection to Report & Recommendation." (Doc. 48). The Court interprets this "Motion" to be an Objection to the Report and Recommendation, which is untimely. The Objection is overruled.

1. That the Report and Recommendation filed May 17, 2012 (Doc. No. 46) is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. Defendant Kids Central, Inc.'s Motion to Dismiss (Doc. No. 12) is **GRANTED in part**.

3. The Motion to Dismiss on Behalf of the Florida Statewide Guardian Ad Litem Program, Nicole Henry, Ronald Gamble, Circuit Judge Michael Takac and Circuit Judge Heidi Davis (Doc. No. 21) is **GRANTED in part**.

4. The Complaint is dismissed without prejudice. Plaintiff shall file an Amended Complaint within twenty-eight (28) days from the date of this Order.

5. Plaintiff's counsel's Motion to Withdraw Appearance (Doc. No. 38) is **GRANTED**. Attorney Kevin Coles shall provide a copy of this Order to Plaintiff and thereafter be relieved of his duties as to representing Plaintiff in this matter.

6. All future filings in this case shall be sent to Plaintiff at the following address: Mary D. Conklin, 171 Oak Avenue, Torrington, CT., 06790. For reference purposes, her telephone numbers are 860-618-3539 and 352-434-1215 (cellular). Her email address is marydconklin@aol.com.

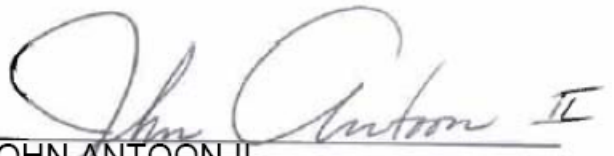
7. This case is transferred to the Ocala Division of the Middle District of Florida.

8. The Clerk of the Court is directed to: 1) mail a copy of this Order to the Plaintiff at the address stated above; 2) transfer this case to the Ocala Division; and 3) thereafter close this file.

DONE and **ORDERED** in Chambers, Orlando, Florida this 7th day of June,
2012.

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party



JOHN ANTOON II
United States District Judge