

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

**MODESTO GARCIA, GEORGE
OLLINGER,**

Plaintiffs,

-vs-

Case No. 6:12-cv-650-Orl-28DAB

LISA CULLEN, PAM JEFFERSON,

Defendants.

ORDER

This case is before the Court on Defendants' Motion for Extension of Time to Respond to the Amended Complaint (Doc. No. 7) filed May 8, 2012. The United States Magistrate Judge has submitted a report recommending that the District Court decline to exercise supplemental jurisdiction in this matter, and remand this case to state court.

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

1. That the Report and Recommendation filed May 14, 2012 (Doc. No. 11) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. This case is **REMANDED** to the Eighteenth Judicial Circuit Court, Brevard County, Florida. The Clerk of the Court is directed to remand this case to the Court in Brevard County, Florida, Case No. 05-2011-SC-045490, and to thereafter close this file.

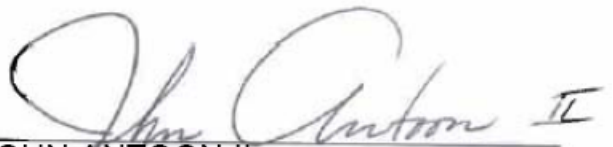
3. Defendants' Motion to Extend Time (Doc. No. 7) shall be carried with the case on remand and determined by the state court.

4. Plaintiff is barred from resurrecting after remand any claims based on federal law in order to pursue them in state court.

DONE and **ORDERED** in Chambers, Orlando, Florida this 4th day of June, 2012.

Copies furnished to:

United States Magistrate Judge
Counsel of Record



JOHN ANTOON II
United States District Judge