

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

BRIAN FARRELL,

Plaintiff,

-vs-

Case No. 6:12-cv-1206-Orl-28DAB

**PATRICK A. CAREY, P.A., PATRICK
CAREY, ROBERT J. RIVERA,**

Defendants.

ORDER

This case is before the Court on Defendants' Motion to Dismiss Second Amended Complaint (Doc. No. 22) filed November 27, 2012. The United States Magistrate Judge has submitted a report recommending that the motion be granted.

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 December 19, 2012 (Doc. No. 24) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Defendants' Motion to Dismiss Second Amended Complaint (Doc. No. 22) is **GRANTED**.

3. The Second Amended Complaint is dismissed with prejudice as to the Fair Debt Collections Practices Act claim and without prejudice as to the pursuit of any state law claim in the appropriate forum.

4. The Clerk of the Court is directed to close this file.

DONE and **ORDERED** in Chambers, Orlando, Florida this 8th day of January, 2013.



JOHN ANTOON II
United States District Judge

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party