

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

**MICHAEL L. SLIPTCHUIK,**

**Plaintiff,**

**-vs-**

**Case No. 6:13-cv-460-Orl-28GJK**

**ING BANK, FSB, ANY AND ALL  
UNKNOWN PARTIES CLAIMING BY,  
THROUGH, UNDER, AND AGAINST THE  
HEREIN NAMED INDIVIDUAL  
DEFENDANT(S) WHO ARE NOT KNOWN  
TO BE DEAD OR ALIVE, WHETHER  
SAID UNKNOWN PARTIES MAY CLAIM  
AN INTEREST,**

**Defendants.**

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**ORDER**

This case is before the Court on Defendant ING Bank, FSB n/k/a Capital One, N.A.'s Motion to Dismiss (Doc. No. 14) filed April 8, 2013. The United States Magistrate Judge has submitted a report recommending that the motion be granted.

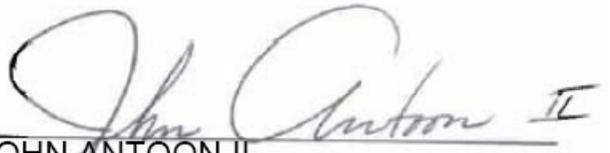
After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation. Therefore, it is **ORDERED** as follows:

1. That the Report and Recommendation filed August 6, 2013 (Doc. No. 28) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Defendant's Motion to Dismiss (Doc. No. 14) is **GRANTED**.

3. Plaintiff's Complaint is **DISMISSED**.

4. Plaintiff is granted leave to file an amended complaint within fourteen (14) days from the date of this Order.

**DONE** and **ORDERED** in Chambers, Orlando, Florida this 28th day of August, 2013.



JOHN ANTOON II  
United States District Judge

Copies furnished to:

United States Magistrate Judge  
Counsel of Record  
Unrepresented Party