

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

MICHAEL KOVALOVSKY,

Plaintiff,

v.

Case No: 6:13-cv-1058-Orl-36KRS

**DEFENSE FINANCE ACCOUNTING
SERVICE,**

Defendant.

ORDER

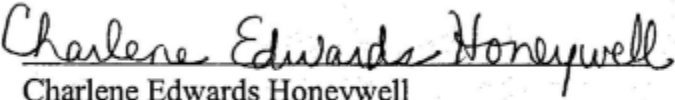
This cause comes before the Court on the Report and Recommendation of Magistrate Judge Karla R. Spaulding, filed on August 12, 2013 (Doc. 10). In the Report and Recommendation, the Magistrate Judge recommends that *pro se* Plaintiff Michael Kovalovsky's ("Plaintiff") Complaint (Doc. 1) be dismissed for lack of subject matter jurisdiction due to a failure to demonstrate standing. *See* Doc. 10. No party has objected to the Report and Recommendation and the time to do so has expired.

The Court is in agreement with the Magistrate Judge that the Complaint should be dismissed because it fails to allege a sufficient basis for the exercise of this Court's subject matter jurisdiction, as Plaintiff fails to demonstrate that he has standing to bring the action. *See id.* Therefore, after careful consideration of the Report and Recommendation of the Magistrate Judge, in conjunction with an independent examination of the court file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects, except as modified herein.

Accordingly, it is hereby **ORDERED and ADJUDGED**:

1. The Report and Recommendation of the Magistrate Judge (Doc. 10) is adopted, confirmed, and approved in all respects, except as modified herein, and is made a part of this Order for all purposes, including appellate review.
2. Plaintiff's Complaint (Doc. 1) is **DISMISSED without prejudice**.
3. If Kathleen Sue Stallings wishes to pursue an action against the Defense Finance Accounting Service, she shall do so by filing a new action with the Clerk of Court.
4. The Clerk is directed to close this case.

DONE and ORDERED in Orlando, Florida on September 4, 2013.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties
United States Magistrate Judge Karla R. Spaulding