

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

THIRD DAY CAPITAL, INC.,

Plaintiff,

v.

Case No: 6:16-cv-1314-Orl-40TBS

NATIONSTAR MORTGAGE, LLC,

Defendant.

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ORDER

This cause is before the Court on Defendant's Motion to Dismiss Complaint (Doc. 11) filed on August 9, 2016. 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. The Report and Recommendation filed January 26, 2017 (Doc. 26), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Motion to Dismiss Complaint (Doc. 11) is **GRANTED**.
3. The case is **DISMISSED without leave to amend**.
4. The Clerk is **DIRECTED** to close the file.

DONE AND ORDERED in Orlando, Florida on February 13, 2017.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties