

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

WELLS FARGO BANK, N.A.,

Plaintiff,

v.

Case No: 6:16-cv-1655-Orl-41DCI

**PATCHAIMMAL BENJAMIN,
WILSON BENJAMIN, BANCO
POPULAR NORTH AMERICA,
ORANGE COUNTY, OTHER
UNKNOWN PARTIES, THE SEVERAL
AND RESPECTIVE UNKNOWN
ASSIGNS SUCCESSORS IN
INTEREST, TRUSTEES OR OTHER
PERSONS and ALL CLAIMANTS,,**

Defendants.

ORDER

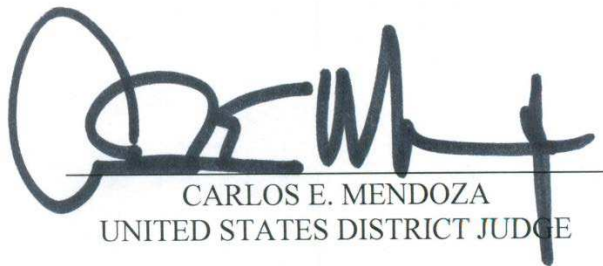
THIS CAUSE is before the Court on Defendant Patchaimmal Benjamin's Application to Proceed in District Court Without Prepaying ("Motion to Proceed," Doc. 4). United States Magistrate Judge David A. Baker submitted a Report and Recommendation (Doc. 6), in which he recommends that the Motion to Proceed be denied and this case be remanded for want of subject-matter jurisdiction.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees with the analysis set forth in the Report and Recommendation. Therefore, it is **ORDERED** and **ADJUDGED** as follows:

1. The Report and Recommendation (Doc. 6) is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. The Application to Proceed in District Court Without Prepaying (Doc. 4) is **DENIED**.
3. This case is **REMANDED** to the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, Florida, Case Number 2012-CA-007637-O.
4. The Clerk is directed to close this case.

DONE and **ORDERED** in Orlando, Florida on November 9, 2016.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Party
Clerk of the Court of the Ninth Judicial Circuit in and for Orange County, Florida