

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

THE OASIS AT MOSS PARK, LLC,

Plaintiff,

v.

Case No: 6:17-cv-1224-Orl-40KRS

WESELY GAMBLE,

Defendant.

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**ORDER**

This cause is before the Court on Plaintiff's Application to Proceed in District Court without Prepaying Fees or Costs (Doc. 3) filed on July 5, 2017. The United States Magistrate Judge has submitted a report and recommendation.

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 July 11, 2017 (Doc. 4), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. This case is **REMANDED** to the County Court of the Ninth Judicial Circuit in and for Orange County, Florida for lack of subject-matter jurisdiction.
3. The Clerk is **DIRECTED** to terminate the motion to proceed *in forma pauperis* (Doc. 3).

4. The Clerk is further **DIRECTED** to send a copy of this Order to the Clerk of the Court for the County Court of the Ninth Judicial Circuit in and for Orange County, Florida and to **CLOSE** the file.

**DONE AND ORDERED** in Orlando, Florida on July 31, 2017.

  
PAUL G. BYRON  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Parties