

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION**

DARLENE P. BAYLOR,

Plaintiff,

v.

CASE NO. 1:12-cv-00259-MP-GRJ

DAVID FRANK PETRANO and  
MARY KATHERINE DAY-PETRANO,

Defendants.

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**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated February 22, 2013. (Doc. 18). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a *de novo* determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is hereby

**ORDERED AND ADJUDGED:**

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. This case is REMANDED to the Circuit Court for the Eighth Judicial Circuit in and for Alachua County, Florida, for lack of federal subject matter jurisdiction.

3. The Clerk is directed to send a certified copy of this order to the Clerk of Court for the Eighth Judicial Circuit in and for Alachua County, Florida, close the file, and terminate all pending motions

**DONE AND ORDERED** this 14th day of March, 2013

*s/Maurice M. Paul*  
Maurice M. Paul, Senior District Judge