

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

SUNTRUST BANK,
Plaintiff,

vs.

Case No. 3:09cv85/RV/EMT

NANCY RENEE O'BRIEN,
Defendant.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated April 15, 2009 (Doc. 10). 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 all timely filed objections.

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

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order.

2. Defendant's "Motion to Dismiss [sic] Under Rule 12(B) for Lack of Jurisdiction, Improper Venue, Insuffecient [sic] Service of Process, or Failure to State a Claim" (Doc. 7) is **DENIED**.

DONE AND ORDERED this 18th day of May, 2009.

/s/ Roger Vinson _____

ROGER VINSON
SENIOR UNITED STATES DISTRICT JUDGE