

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

CANDIDA ADAMS,

Plaintiff,

v.

Case No. 3:21cv2567-MCR-HTC

MARY GARTH,  
ROBERT GARTH, and  
THOMAS GARTH,

Defendants.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated November 29, 2021 (ECF No. 3), which recommends this case be dismissed *sua sponte* for lack of subject-matter jurisdiction or, alternatively, as frivolous for failure to state a claim. Plaintiff was furnished a copy of the Report and Recommendation and afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). Plaintiff has filed a Motion for Leave to Proceed *in forma pauperis* (ECF Doc. 4). Otherwise, there have been no timely filed objections.

Having considered the Report and Recommendation and the record, I have determined that the Report and Recommendation should be adopted and Plaintiff's Motion to Proceed *in forma pauperis* should be deemed as moot.

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

- (1) The Magistrate Judge's Report and Recommendation (ECF Doc. 3) is adopted and incorporated by reference in this order.
- (2) The Plaintiff's Motion to Proceed *in forma pauperis* (ECD Doc. 4) is deemed moot.
- (3) This case is **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction.
- (4) The Clerk is directed to close the file.

**DONE AND ORDERED** this 10<sup>th</sup> day of January 2022.

*M. Casey Rodgers*  
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**M. CASEY RODGERS**  
**UNITED STATES DISTRICT JUDGE**