

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

TALLAHASSEE PROPERTY  
INVESTORS, LLC, doing  
business as THE WESTCOTT  
APARTMENTS,

Plaintiff,

v.

4:17cv191–WS/CAS

TABETHA SPENCER,

Defendant.

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ORDER ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (doc. 5) docketed May 1, 2017. The magistrate judge recommends that the plaintiff's case be remanded to state court for lack of subject matter jurisdiction. No objections to the report and recommendation have been filed.

The court has reviewed the record and has determined that the magistrate judge's report and recommendation should be adopted. Accordingly, it is

ORDERED:

1. The magistrate judge's report and recommendation (doc. 5) is hereby ADOPTED and incorporated by reference in this order.

2. The plaintiff's motion for leave to proceed in forma pauperis (doc. 3) is GRANTED.

3. This case shall be REMANDED to the County Court in and for Leon County, Florida.

4. The clerk shall send a certified copy of this order of remand to the Clerk of Court in and for Leon County, Florida.

DONE AND ORDERED this 6th day of June, 2017.

s/ William Stafford  
WILLIAM STAFFORD  
SENIOR UNITED STATES DISTRICT JUDGE