

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

IN RE: DWAYNE ELLER AND
KIRSTIN ELLER,

CASE NO. 4:18cv59-RH/CAS

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ORDER OF DISMISSAL

This case is before the court on the magistrate judge's report and recommendation, ECF No. 3. No objections have been filed.

Federal courts have only the jurisdiction provided by statute. The petitioners have not alleged a basis for federal jurisdiction. No basis for federal jurisdiction is apparent. The case does not arise under federal law. It is not a case wholly between citizens of different states. As correctly set out in the report and recommendation, the petitioners may seek relief in state court—but they have not alleged a basis for relief in federal court.

IT IS ORDERED:

The report and recommendation is accepted. The clerk must enter judgment

stating, “This case is dismissed for lack of jurisdiction.” The clerk must close the file.

SO ORDERED on May 31, 2018.

s/Robert L. Hinkle
United States District Judge