

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

ROCKY MOUNTAIN HOLDINGS,

Plaintiff,

v.

CASE NO. 5:13-cv-58-RS-GRJ

**LONNIE T. JOHNSON and
SHAUNNA JOHNSON,**

Defendants.

_____ /

ORDER

Before me is the Magistrate Judge's Report and Recommendation (Doc. 40). I have reviewed the recommendation *de novo*.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. This Court lacks subject matter jurisdiction over this matter.
3. The Clerk is directed to remand the case to state court (in the 14th Judicial Circuit, Holmes County), close the file, and terminate all pending motions.

ORDERED on December 16, 2013.

**/s/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE**