

**FILED IN CHAMBERS**  
 U.S.D.C. - Atlanta  
**FEB 06 2018**  
 James H. ... Clerk  
*AMC* Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF GEORGIA  
 ATLANTA DIVISION

FRED PONDER, :  
 :  
 Plaintiff :  
 :  
 v. : CIVIL ACTION FILE NO.  
 : 1:16-CV-4125-ODE-LTW  
 :  
 OCWEN LOAN SERVICING, LLC, :  
 :  
 Defendant :

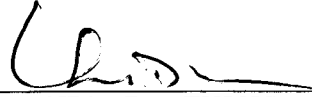
ORDER

This civil case is before the Court on the Non-Final Report and Recommendation of United States Magistrate Judge Linda T. Walker filed December 11, 2017 [Doc. 56] ("R&R"). No objections have been filed.

In the R&R, Judge Walker recommends that Defendant's Motion to Dismiss [Docs. 35] be deemed moot because the motion requests dismissal of Plaintiff's first amended complaint [Doc. 16] which is no longer the operative pleading in light of Plaintiff's second amended complaint filed November 6, 2017 [Doc. 53]<sup>1</sup>.

The Court having read and considered the R&R and noting the absence of any objections, it is hereby ADOPTED as the opinion and order of the Court. For the reasons set forth in the R&R, Defendant's Motion to Dismiss [Doc. 35] is DEEMED MOOT.

SO ORDERED, this 5 day of February, 2018.

  
 ORINDA D. EVANS  
 UNITED STATES DISTRICT JUDGE

<sup>1</sup>Defendant filed a motion to dismiss the second amended complaint on November 20, 2017 [Doc. 54].