



The Court has also conducted an initial review of Smith's complaint pursuant to 28 U.S.C. § 1915(e)(2). While Smith's complaint is lengthy and difficult to follow, she is clearly challenging the foreclosure proceedings related to a piece of real property in Grayson, Kentucky. That said, as Smith appears to acknowledge, there is also an ongoing state court case regarding this same matter. *See Specialized Loan Servicing LLC v. Karen Smith*, No. 14-CI-00292 (2014). In fact, according to the state court's publically available docket sheet, Smith's case remains pending in Greenup County Circuit Court, and her case is set to be heard on February 22, 2018. *See id.* The docket sheet then specifically indicates that Smith may submit her objections to the sale of her property at that time. *See id.*

In light of the ongoing state court proceedings regarding this same matter, the Court will abstain from ruling on Smith's complaint and, instead, it will dismiss this action without prejudice. *See, e.g., Doscher v. Menifee Circuit Court*, 75 F. App'x 996, 997 (6th Cir. 2003) (stating that the district court properly abstained from ruling on the pro se plaintiff's complaint regarding foreclosure proceedings because there was a foreclosure action pending in state court and the plaintiff had an adequate opportunity to raise his challenges to those proceedings); *Daniel Essek v. Vanderbilt Mortgage, Inc.*, No. 6:10-cv-333-GFVT (E.D. Ky. 2011) (the same).

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

1. Smith's motion to proceed *in forma pauperis* [D. E. No. 2] is **GRANTED** and payment of the filing and administrative fees is **WAIVED**.
2. Smith's complaint [D. E. No. 1] is **DISMISSED WITHOUT PREJUDICE** on abstention grounds.
3. This action is **STRICKEN** from the Court's docket.

This 14<sup>th</sup> day of February, 2018.



**Signed By:**  
**Henry R. Wilhoit, Jr.**  
**United States District Judge**