

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ADAN RIVERA d/b/a MR. SOD TURF
AND LANDSCAPE, LLC

VERSUS

CAPITAL ONE, N.A.

CIVIL ACTION

NO. 13-26-JJB-SCR

RULING

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated January 18, 2013 (doc. no. 6) to which no objection has been filed.

The court hereby approves the report and recommendation of the Magistrate Judge and adopts it as the court's opinion herein. Accordingly, the plaintiff's Petition for Damages and Breach of Contract, is DISMISSED for lack of subject matter jurisdiction, and without prejudice to any state law claims he may have alleged.

Baton Rouge, Louisiana, this 20th day of February, 2013.



JAMES J. BRADY, U.S. DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA