

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

WATERFORD CROSSINGS)	
APARTMENTS,)	
)	
Plaintiff,)	NO. 3:18-cv-00131
)	
v.)	JUDGE CAMPBELL
)	MAGISTRATE JUDGE HOLMES
)	
LATOSHA NICHOLE TIPTON and)	
EUGENE TIPTON,)	
)	
Defendants.)	

ORDER

Pending before the Court is the Magistrate Judge’s Report and Recommendation (Doc. No. 7), recommending that the Court grant Plaintiff’s Motion To Remand And/Or Dismiss (Doc. No. 6). Defendant Latosha Nichole Tipton has filed a *pro se* Motion To Dismiss By Special Deposit (Doc. No. 8) in response to the Report and Recommendation, and Plaintiff has filed a Response to that filing. (Doc. No. 9).

Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.03(b)(3), the court reviews *de novo* any portion of a report and recommendation to which a specific objection is made. *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001). General objections are insufficient and may result in waiver of review. *See, e.g., Zimmerman v. Cason*, 354 F. App'x 228, 230 (6th Cir. 2009). In conducting the review, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C).


As discussed in the Report and Recommendation, Plaintiff filed a detainer warrant against Defendants in the General Sessions Court for Davidson County, Tennessee, relating to the lease of

an apartment in Cane Ridge, Tennessee. After Defendants failed to appear and the state court found them in default, Defendant Latosha Nichole Tipton filed a *pro se* Notice of Removal. The Magistrate Judge has determined that the case should be remanded back to state court because the Defendant has not established federal subject matter jurisdiction.

Although Defendants have not filed objections to the Report and Recommendation, the Court will consider Defendant Latosha Nichole Tipton's Motion To Dismiss By Special Deposit (Doc. No. 8) as an objection. The Motion does not directly challenge the reasoning of the Report, however, but rather refers to the establishment of a "private trust" by "special deposit;" assertion of "subrogation rights;" a demand for \$100,000 in damages if the matter continues; and other obscure statements. Defendant's Motion does not provide a basis for rejection of the Report and Recommendation,

Having conducted a *de novo* review of the Magistrate Judge's determinations, Defendant's filings, and the record in this case, the Court concludes that the Report and Recommendation should be accepted. Accordingly, Plaintiff's Motion To Remand And/Or Dismiss (Doc. No. 6) is **GRANTED**, and Defendant Latosha Nichole Tipton's Motion To Dismiss By Special Deposit (Doc. No. 8) is **DENIED**. This case is **REMANDED** to the General Sessions Court for Davidson County, Tennessee.

It is so **ORDERED**.


WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE