

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

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|------------------------|---|-------------------------------|
| DARDANUIS COLEMAN, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 2:12-cv-2125-JTF-dkv |
| |) | |
| INDYMAC VENTURE, LLC., |) | |
| |) | |
| Defendant. |) | |
| |) | |
| |) | |

**ORDER ADOPTING REPORT AND RECOMMENDATION
FOR *SUA SPONTE* DISMISSAL**

Before the Court is the Plaintiff’s “Petition to Rescind Foreclosure, Complaint for Damages and Emergency Stay,” filed on February 15, 2012. (DE #1). On March 25, 2013, the case was referred to the Magistrate Judge pursuant to 28 U.S.C. §§636- 639. (DE #4). On June 12, 2013, the Magistrate Judge entered her report, recommending that the case be dismissed for failure to state a claim pursuant to 28 U.S.C. §1915(e) (2). (DE #5) No objections have been filed to the Magistrate Judge’s Report and Recommendation.

After reviewing the Magistrate Judge’s Report and Recommendation and the entire record in this case, the Court hereby ADOPTS the Magistrate Judge’s Report and Recommendation.

IT IS THEREFORE ORDERED that the case be DISMISSED for failure to state a claim pursuant to 28 U.S.C. §1915(e) (2).

IT IS SO ORDERED this 20th day of August, 2013.

BY THIS COURT:

s/John T. Fowlkes, Jr.

JOHN T. FOWLKES, JR.

UNITED STATES DISTRICT JUDGE