

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

TRACEY SPRINGHORN,

Plaintiff,

vs.

Case No. 16-1187-EFM

CHILD DAYCARE
CENTER, *et al.*,

Defendants.

ORDER

This matter is before the Court on Magistrate Judge Gwynne E. Birzer's Report and Recommendation (Doc. 5) that the Plaintiff's Complaint be dismissed without prejudice for lack of subject-matter jurisdiction and for failure to state a claim.

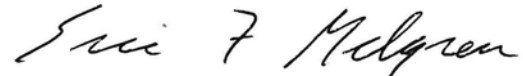
Plaintiff received notice of the Report and Recommendation via certified mail, return receipt filed on August 18, 2016. Plaintiff was advised she was to file written objections to the proposed recommendation within fourteen (14) days after service of the recommendation. The fourteen (14) day response time has expired. No objections having been filed, this Court accepts the recommended decision of the Magistrate Judge and adopts it as its own.

IT IS THEREFORE ORDERED, that pursuant to Fed. R. civ. P. 12(h)(3) the Plaintiff's Complaint is Dismissed without Prejudice for lack of subject-matter jurisdiction and that pursuant to 28 U.S.C. §1915(e)(2) Plaintiff's Complaint is Dismissed without Prejudice for failure to state a claim.

IT IS FURTHER ORDERED this Court adopts the Report and Recommendation, Doc. 5, and this case is DISMISSED.

IT IS SO ORDERED.

Dated this 8th day of September, 2016 in Wichita, Kansas.

A handwritten signature in black ink, reading "Eric F. Melgren". The signature is written in a cursive, flowing style.

ERIC F. MELGREN
UNITED STATES DISTRICT JUDGE