

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

WALTER P. WALKER,

Plaintiff,

v.

Case No. 2:16-cv-02502-JTM-TJJ

SHAWNEE MISSION MEDICAL CENTER;  
CAMELA NOONAN-GREEN,

Defendants.

**MEMORANDUM AND ORDER**

This matter is before the court on a Report and Recommendation from U.S. Magistrate Judge Teresa J. James. Dkt. 5. The Report recommends that plaintiff's pro se complaint be dismissed for lack of subject matter jurisdiction. *Id.* The Report was served upon plaintiff by certified mail on July 27, 2016 (Dkt. 6), along with a notice that plaintiff must file any objections within 14 days if he wants to have appellate review of the recommended disposition. Dkt. 5 at 4. Plaintiff filed no objections within the 14 day period, which has now expired.

The court has reviewed the Report and concurs with its recommendation. As the Report noted, federal courts are courts of limited jurisdiction, and plaintiff's complaint fails to show that the matter is properly in federal under either diversity jurisdiction (28 U.S.C. § 1332) or federal question jurisdiction (28 U.S.C. § 1331).

**IT IS THEREFORE ORDERED** that the court adopts the Report and Recommendation (Dkt. 5). Plaintiff's complaint is hereby DISMISSED without prejudice for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(h)(3).

s/J. Thomas Marten  
J. THOMAS MARTEN, JUDGE