

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

Shay Cook

Plaintiff,

vs.

Case No. 17-1059-JTM

Rocky Crownover,

Defendant.

MEMORANDUM AND ORDER

This matter is before the court following the Report and Recommendation of the United States Magistrate Judge (Dkt. 6), who granted plaintiff Shay Cook's motion to proceed *in forma pauperis*, but also recommended that the court dismiss the action for lack of federal jurisdiction. The complaint alleges that plaintiff's great uncle "forged signatures on Quit Claim Deeds resulting in transferring property out of my name illegally." (Dkt. 1, at 3). In the portion of the form complaint asking the grounds for federal jurisdiction, the plaintiff did not check the boxes for any federal statutory or civil rights violations, and wrote simply "Property Theft." *Id.* The Magistrate Judge recommended dismissal, given the absence of any "federal statute or authority as basis for her claim." (Dkt. 6, at 6).

Cook has filed an objection to the Report, stressing both that defendant Rocky Crownover “met with plaintiff on two separate occasions to talk about what he had done and admitted this on one occasion,” and citing the Kansas statute, K.S.A. 58-2209, which requires signatures for the conveyance of real property. (Dkt. 8, at 1). As a result, the plaintiff has still failed to supply any basis for *federal* jurisdiction over what appears to be a dispute arising entirely under state law. Accordingly, the objection is overruled.

The court adopts the Report and Recommendation, and the present action is hereby DISMISSED this 9th day of June, 2017.

s/ J. Thomas Marten

J. THOMAS MARTEN, JUDGE