

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

Joseph Leroy Jones-EL,

Plaintiff,

v.

Case No.: 8:17-cv-1761-T-30AAS

**Mortgage Electronic Registration Systems,
Inc., et al.,**

Defendants.

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REPORT AND RECOMMENDATION

Before the Court is Plaintiff's Application to Proceed in District Court without Prepaying Fees or Costs (Short Form) (Doc. 2), which the undersigned construes as a motion for leave to proceed *in forma pauperis*.¹

On August 29, 2017, upon review of Plaintiff's Complaint (Doc. 1), the undersigned deferred ruling on Plaintiff's request to proceed *in forma pauperis* pending Plaintiff filing an amended complaint that cured the deficiencies the undersigned identified in the Complaint. (Doc. 5). The undersigned ordered Plaintiff to file an amended complaint by September 15, 2017. (*Id.*). On August 30, 2017, the Court granted Plaintiff's Motion for Leave to File an Amended Complaint (Doc. 6), and extended the deadline for Plaintiff to file an amended complaint until October 16, 2017 (Doc. 7). Plaintiff failed to file an amended complaint.

¹ The motion has been referred to the undersigned for disposition or a Report and Recommendation. *See* 28 U.S.C. § 636(b); Local Rules 6.01(b) and (c), M.D. Fla.

On October 20, 2017, the undersigned entered a Report and Recommendation recommending that the motion be denied and the case be dismissed. (Doc. 8). On October 25, 2017, Plaintiff filed a motion, requesting an extension of time to file an amended complaint. (Doc. 9). The Court granted the motion, denied the Report and Recommendation as moot, and directed the undersigned to file a new Report and Recommendation after Plaintiff's filing deadline of December 1, 2017. (Doc. 10). To date, Plaintiff has not filed an amended complaint.

Accordingly, and upon consideration, it is **RECOMMENDED** that:

Plaintiff's construed Motion For Leave to Proceed *In Forma Pauperis* (Doc. 2) be **DENIED** and Plaintiff's Complaint (Doc. 1) be **DISMISSED**.

DONE AND ENTERED in Tampa, Florida on this 11th day of December, 2017.



AMANDA ARNOLD SANSONE
United States Magistrate Judge

NOTICE TO PARTIES

Failure to file written objections to the proposed findings and recommendations contained in this report within fourteen (14) days from the date of this service shall bar an aggrieved party from attacking the factual findings on appeal. *See* 28 U.S.C. § 636(b)(1).

Copies to:

Pro se Plaintiff