

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

MIGUEL A. PELAGE,

Plaintiff,

Case No. 3:18-cv-148-J-32JRK

vs.

FLORIDA FAMILY SUPPORT DIVISION
CHILD SUPPORT ENFORCEMENT,

Defendant.

_____ /

REPORT AND RECOMMENDATION¹

This cause is before the Court sua sponte. Plaintiff initiated this action pro se on January 23, 2018 by filing a document titled “Notice of Counter Offer/Counter Demand of Debt Settlement” (Doc. No. 1) that the Court construes as a Complaint. Plaintiff did not accompany the Complaint with the \$400.00 filing fee or a request to proceed in forma pauperis. See 28 U.S.C. §§ 1914(a), 1915(a)(1). On February 1, 2018, the undersigned entered an Order (Doc. No. 2) directing Plaintiff to either (1) complete and file an Application to Proceed in District Court Without Prepaying Fees or Costs by March 1, 2018; or (2) pay the \$400.00 filing fee by March 1, 2018. Order at 2. Noting that Plaintiff’s claim appeared subject to dismissal, Plaintiff was also advised that he may elect to voluntarily dismiss the case by filing a notice of dismissal. Id. at 1-2.

Plaintiff failed to act by March 1, 2018. Consequently, the undersigned entered an Order to Show Cause (Doc. No. 4) on March 8, 2018, directing Plaintiff to show cause by

¹ “Within 14 days after being served with a copy of [a report and recommendation on a dispositive issue], a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2). “A party may respond to another party’s objections within 14 days after being served with a copy.” Id. A party’s failure to serve and file specific objections to the proposed findings and recommendations alters the scope of review by the District Judge and the United States Court of Appeals for the Eleventh Circuit, including waiver of the right to challenge anything to which no specific objection was made. See Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(B); 11th Cir. R. 3-1; Local Rule 6.02.

April 9, 2018 as to why the undersigned should not recommend dismissal of the matter for failure to prosecute. See Order to Show Cause at 1-2. Plaintiff was also directed to comply with the February 1, 2018 Order by April 9, 2018. Id. at 2. Plaintiff was warned that failure to respond by April 9, 2018 may result in a recommendation of dismissal without further notice. Id.

To date, Plaintiff has not responded in any way to the March 8, 2018 Order to Show Cause, and he has not complied with the February 1, 2018 Order. Accordingly, it is

RECOMMENDED:

1. That this case be **DISMISSED without prejudice** for failure to prosecute pursuant to Rule 3.10(a), Local Rules, United States District Court, Middle District of Florida.
2. That the Clerk of Court be directed to terminate all pending motions and close the file.

RESPECTFULLY RECOMMENDED at Jacksonville, Florida on April 17, 2018.


JAMES R. KLINDT
United States Magistrate Judge

bhc
Copies to:

Honorable Timothy J. Corrigan
United States District Judge

Pro se party