UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DOMINIC ROSATO,

Plaintiff,

v. Case No.: 2:18-cv-302-FtM-38MRM

DONALD SAWYER, REBECCA JACKSON, JP CARNER, KAREN WARREN, CHRISTINA DUDZINSKI-MCGUNN, ELIZABETH PORFERT, BRIAN L. MASONY, THE DEPARTMENT OF CHILDREN AND FAMILIES and FNU RIDDLE,

Defendants.
_____/

OPINION AND ORDER[1]

Before the Court is Plaintiff Dominic Rosato's Motion for Leave to Proceed *In Forma Pauperis* (IFP) (Doc. 6) filed on March 6, 2019. The Complaint has not yet been served, therefore, no response has been filed.

The Court directed the Plaintiff to either pay the Court's $400.00 filing fee or to file a complete application to proceed *In Forma Pauperis* (IFP). (Doc. 2 at ¶ 2). Plaintiff filed an incomplete application to proceed IFP. (Doc. 6). On April 24, 2019, the Court ordered Plaintiff to either pay the Court's $400.00 filing fee or to provide a computer printout

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prepared by officials at the Florida Civil Commitment Center (FCCC) that reflected all transactions in his FCCC financial account for the six months preceding the filing of his Complaint. (Doc. 7 at 2). Plaintiff was cautioned that failure to comply with the Court's Orders would result in his case being dismissed without further notice. Plaintiff did not comply with the Court's orders and the time to do so has expired.

The Court has taken reasonable steps to provide Plaintiff an opportunity to respond to the Orders and Plaintiff was put on notice that the case would be dismissed if he failed to comply with the Court's Orders. The Local Rules of this Court provide that "[w]henever it appears that any case is not being diligently prosecuted the Court may, on motion of any party or on its own motion, enter an order to show cause why the case should not be dismissed, and if no satisfactory cause is shown, the case may be dismissed by the Court for want of prosecution." M.D. Fla. R. 3.10(a).

The Court finds that Plaintiff has failed to prosecute this case and that the case is due to be dismissed.

Accordingly, it is now

ORDERED:

1. Plaintiff Dominic Rosato's Motion for Leave to Proceed *In Forma Pauperis* (IFP) (Doc. 6) is **DENIED**.
2. Plaintiff's Complaint is **DISMISSED without prejudice**.
3. The Clerk of the Court shall enter judgment accordingly, terminate any pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 28th day of May 2019.



SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-2

Copies:
All Parties of Record