

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

CHRISTOPHER HOLLY,

Plaintiff,

v.

Case No: 5:18-cv-441-Oc-30PRL

WINDSTREAM HOLDINGS, INC.,

Defendant.

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**ORDER**

**THIS CAUSE** came on for consideration on the Report and Recommendation submitted by Magistrate Judge Philip R. Lammens (Doc. 6). The Court notes that Plaintiff filed an untimely written objection to the Report and Recommendation and an amended complaint.

After careful consideration of the Report and Recommendation of the Magistrate Judge, the written objection and amended complaint, in conjunction with an independent examination of the file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects. Although Plaintiff filed an amended complaint, it does not cure the jurisdictional deficiencies addressed by the Magistrate Judge in the Report and Recommendation.

**ACCORDINGLY**, it is therefore, **ORDERED AND ADJUDGED**:

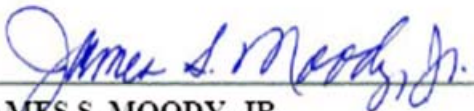
1. The Report and Recommendation (Doc. 6) of the Magistrate Judge is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.

2. Plaintiff's Motion for Leave to Proceed *in Forma Pauperis* (Doc. 2) is DENIED.

3. This action is DISMISSED without prejudice.

4. All pending motions are denied as moot, and the Clerk is directed to close this case.

**DONE** and **ORDERED** in Tampa, Florida, this 2nd day of October, 2018.

  
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JAMES S. MOODY, JR.  
UNITED STATES DISTRICT JUDGE

**Copies Furnished To:**  
Counsel/Parties of Record