

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

BRENNEN CLANCY,

Plaintiff,

v.

Case No: 6:18-cv-501-Orl-41KRS

**FLORIDA DEPARTMENT OF
CORRECTIONS, NORTHAMPTON
COUNTY CORRECTIONS ADULT
PROBATION and INTERSTATE
COMMISSION FOR ADULT
OFFENDERS,**

Defendants.

ORDER

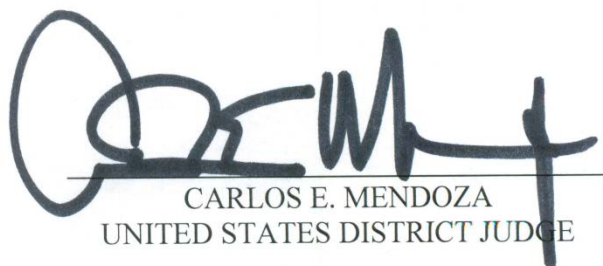
THIS CAUSE is before the Court on Plaintiff's Motion for Leave to File an Amended Complaint ("Motion to Amend," Doc. 13). Plaintiff, who is proceeding *pro se*, filed his first Complaint (Doc. 1) on April 2, 2018, and his first Motion to Proceed *In Forma Pauperis* (Doc. 3) on May 1, 2018. United States Magistrate Judge Karla R. Spaulding issued a Report and Recommendation (Doc. 4), in which she recommended that the Complaint be dismissed but that Plaintiff be given an opportunity to amend. (*Id.* at 5). Instead of waiting for the Court to address the Report and Recommendation, Plaintiff filed an Amended Complaint (Doc. 5) on May 17, 2018, and his Third Amended Complaint (Doc. 10) on May 21, 2018. Plaintiff also filed a renewed Motion to Proceed *In Forma Pauperis* (Doc. 9). Thereafter, Judge Spaulding issued a second Report and Recommendation (Doc. 12), in which she recommended that the case be dismissed without leave to amend because Plaintiff had attempted to sufficiently plead his claims three times and had repeatedly failed to do so. (*Id.* at 4).

Plaintiff then filed his Motion to Amend and his Objection (Doc. 14) to the second Report and Recommendation. In both documents, Plaintiff states that he has done “further research” and now “understand[s] how to properly fill out a complaint.” (Doc. 13 at 1; Doc. 14 at 1). However, Plaintiff has failed to address the insufficiencies pointed out by the Report and Recommendation. Therefore, the Court agrees with Judge Spaulding that permitting Plaintiff to file another amended complaint would be an exercise in futility.

Accordingly, it is **ORDERED** and **ADJUDGED** as follows:

1. The second Report and Recommendation (Doc. 12) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Plaintiff’s Motion for Leave to File an Amended Complaint (Doc. 13) is **DENIED**.
3. Plaintiff’s Objection (Doc. 14) to the second Report and Recommendation is **OVERRULED**.
4. This case is **DISMISSED**.
5. The Clerk is directed to close this case.

DONE and **ORDERED** in Orlando, Florida on July 2, 2018.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Unrepresented Party
Counsel of Record