

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

GREGORY K. SAMUELS,

Plaintiff,

v.

Case No: 6:18-cv-940-Orl-41GJK

**GQ HOLDING 1329, LLC,
MORTGAGE ELECTRONIC
SYSTEMS, INC., WMC MORTGAGE,
FV-1 MORGAN STANLEY and
KONDAUR CAPITAL
CORPORATION,**

Defendants.

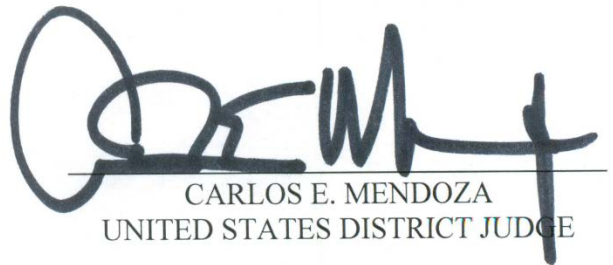
ORDER

THIS CAUSE is before the Court on Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs ("Application," Doc. 2). United States Magistrate Judge Gregory J. Kelly submitted a Report and Recommendation ("R&R," Doc. 3), in which he recommends that the Application be denied. He further recommends that the Complaint (Doc. 1) be dismissed with leave to amend. (*Id.* at 3–4). In response, Plaintiff filed a Motion to Extend Order to Amend Complaint and Request Installments for \$400 Court Fee (Doc. 6), requesting that the Court extend the deadline for Plaintiff to file an amended complaint and that Plaintiff be allowed to pay the filing fee in installments. Because the R&R will be adopted, Plaintiff will have the opportunity to file an amended complaint, and at that time, Plaintiff may file a renewed Application to Proceed in District Court Without Prepaying Fees or Costs.

After a *de novo* review of the record, and noting that no objections were timely filed, the Court agrees with the analysis set forth in the R&R. Therefore, it is **ORDERED** and **ADJUDGED** as follows:

1. The Report and Recommendation (Doc. 3) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 2) is **DENIED**.
3. The Complaint (Doc. 1) is **DISMISSED without prejudice**.
4. **On or before July 30, 2018**, Plaintiff may file an amended complaint. Failure to do so may result in the dismissal of this case without further notice.
5. Plaintiff's Motion to Extend Order to Amend Complaint and Request Installments for \$400 Court Fee (Doc. 6) is **DENIED as moot**.

DONE and **ORDERED** in Orlando, Florida on July 16, 2018.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Unrepresented Party