

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

**HOZAE LAMAR MILTON,**

**Plaintiff,**

**v.**

**Case No. 3:18-cv-1350-J-20JBT**

**ANGELA GALE, et. al.,**

**Defendants.**

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**ORDER**

**THIS CAUSE** is before this Court following a Report and Recommendation (Dkt. 9) that recommends this case be dismissed without prejudice because the allegations of the Amended Complaint (Dkt. 8) fail to state a claim upon which relief can be granted. No objections were filed to the Report and Recommendation as required.<sup>1</sup> After an independent review of the record and upon consideration of the Report and Recommendation, this Court finds that it is not clearly erroneous or contrary to the law and adopts the same in all respects.

Accordingly, it is hereby **ORDERED**:

1. The Magistrate Judge's Report and Recommendation (Dkt. 9) is **ADOPTED**;
2. Plaintiff's "Application to Proceed in District Court Without Prepaying Fees or Costs" (Short Form) (Dkt. 3), construed as a Motion to Proceed *In Forma Pauperis*, is **DENIED**;
3. The case is **DISMISSED** without prejudice; and

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<sup>1</sup> See footnote 1 of the Report and Recommendation (Dkt. 9).

4. The Clerk is **DIRECTED** to terminate all pending motions and close this case.

**DONE AND ENTERED** at Jacksonville, Florida, this 6~~5~~ day of March, 2019.

  
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**HARVEY E. SCHLESINGER**  
**UNITED STATES DISTRICT JUDGE**

Copies to:  
Hon. Joel B. Toomey  
Hozae Lamar Milton, *pro se*  
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