

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

STEPHEN LEONARD GUARDINO,
JR. ,

Plaintiff,

v.

Case No. 3:18-cv-1389-J-32PDB

FLAGLER HOSPITAL ST.
AUGUSTINE,

Defendant.

ORDER

This case is before the Court on pro se Plaintiff Stephen Leonard Guardino, Jr.'s Motion to Proceed In Forma Pauperis. (Doc. 2). On December 11, 2018, the assigned United States Magistrate Judge issued a Report and Recommendation ("R&R") (Doc. 5) recommending that this case be dismissed without prejudice for lack of subject matter jurisdiction and that the Clerk close the file. Following entry of the R&R, Plaintiff submitted numerous supplemental filings, (Docs. 6-14), which the Court has reviewed and taken into consideration. Docket Entry 11 contains a filing which will be liberally construed as an Amended Complaint. (Doc. 11).

However, despite Plaintiff's apparent attempts to amend his complaint and supplement his case, his efforts are unavailing. His Amended Complaint fails to remedy the numerous deficiencies of the Complaint, namely the failure to sufficiently allege a basis for this Court's subject matter jurisdiction. Therefore, upon de novo review and for the reasons stated in the Report and Recommendation (Doc. 5), it is hereby

ORDERED:

1. The Report and Recommendation of the Magistrate Judge (Doc. 5) is **ADOPTED** as the opinion of the Court.

2. This case is **DISMISSED without prejudice** for lack of subject matter jurisdiction.

3. Plaintiff's Motion to Proceed In Forma Pauperis (Doc. 2) is **MOOT**.

4. The Clerk shall close the file.

DONE AND ORDERED in Jacksonville, Florida the 8th day of January, 2019.



TIMOTHY J. CORRIGAN
United States District Judge

sej
Copies to:

Honorable Patricia D. Barksdale

United States Magistrate Judge

Pro se Plaintiff