

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

STEPHEN LEONARD GUARDINO, JR.,

Plaintiff,

v.

Case No. 3:18-cv-01390-J-20JRK

ITT, INC.

Defendant.

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ORDER

THIS CAUSE is before this Court following a Report and Recommendation (Dkt. 10) that recommends this case be dismissed without prejudice for frivolity. No objections were filed to the Report and Recommendation as required.¹ 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. 10) is **ADOPTED**;
2. Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) (Dkt. 2), construed as a Motion to Proceed *In Forma Pauperis*, is **DENIED**;
3. The case is **DISMISSED** without prejudice for frivolity; and
4. The Clerk is **DIRECTED** to terminate the pending motions and close this case.

DONE AND ENTERED at Jacksonville, Florida, this 30~~th~~ day of January, 2019.

HARVEY E. SCHLESINGER
UNITED STATES DISTRICT JUDGE

Copies to:

¹ See footnote 1 of the Report and Recommendation (Dkt. 10).

Hon. James R. Klindt
Stephen Leonard Guardino, Jr., *pro se*
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Palm Coast, FL 32164