

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

STEPHEN LEONARD GUARDINO, JR.

,

Plaintiff,

v.

Case No: 6:18-cv-1504-Orl-41GJK

**STEWART-MARCHMAN-ACT
BEHAVIORAL HEALTHCARE,**

Defendant.

_____ /

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 (Doc. 3), in which he recommends that the Application be denied. He further recommends that the Complaint (Doc. 1) be dismissed without prejudice because it is frivolous and fails to comply with Federal Rule of Civil Procedure 8. (*Id.* at 4).

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 Report and Recommendation. 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 case is **DISMISSED without prejudice**.

4. The Clerk is directed to close this case.

DONE and **ORDERED** in Orlando, Florida on November 13, 2018.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Unrepresented Party