

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

TRAYMONTE SNIPES,

Plaintiff,

v.

Case No: 8:18-cv-1731-T-36JSS

PAT SIRACUSA,

Defendant.

ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Julie S. Sneed on July 27, 2018 (Doc. 6). In the Report and Recommendation, Magistrate Judge Sneed recommends that: 1. Plaintiff's Motion for Leave to Proceed in *Forma Pauperis* (Dkt. 2) be denied without prejudice; 2. Plaintiff's Motion for Appointment of Counsel (Dkt. 5) be denied without prejudice; and 3. Plaintiff's Complaint (Dkt. 1) be dismissed without prejudice, with leave to file an amended complaint setting forth the basis for the Court's jurisdiction. All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed.

Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted. Accordingly, it is now

ORDERED AND ADJUDGED:

- (1) The Report and Recommendation of the Magistrate Judge (Doc. 6) is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.

- (2) Plaintiff's Motion for Leave to Proceed in *Forma Pauperis* (Dkt. 2) is DENIED without prejudice.
- (3) Plaintiff's Motion for Appointment of Counsel (Dkt. 5) is DENIED without prejudice.
- (4) Plaintiff's Complaint (Dkt. 1) is DISMISSED without prejudice. Plaintiff is granted leave to file an amended complaint, which sets forth the basis for the Court's jurisdiction, within twenty (20) days of the date of this order. **Failure to file an amended complaint within the allotted time period will result in dismissal of this action without further notice.**

DONE AND ORDERED at Tampa, Florida on August 21, 2018.


Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Julie S. Sneed
Counsel of Record