

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

JENNELL LAVAR SIMPSON, SR. and
WINIFRED DIANE SIMPSON,

Plaintiffs,

v.

Case No: 8:18-cv-1780-T-36AEP

CITY OF TAMPA, DICK GRECO, JR. and
STATE OF FLORIDA,

Defendants.

ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Anthony E. Porcelli on August 5, 2018 (Doc. 6). In the Report and Recommendation, Magistrate Judge Porcelli recommends that Plaintiffs' Application to Proceed in District Court without Prepaying Fees or Costs (Docs. 2 & 3) be denied without prejudice and that Plaintiffs be allowed to file an amended complaint that sets forth a factual basis for their claims and file renewed requests to proceed in forma pauperis. 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) Plaintiffs' Applications to Proceed in District Court without Prepaying Fees or Costs (Docs. 2 & 3) are DENIED WITHOUT PREJUDICE.
- (3) On or before August 31, 2018¹, Plaintiffs shall file an amended complaint that sets forth a factual basis for their claims and file renewed requests to proceed *in forma pauperis*. **Plaintiffs are advised that failure to file an amended complaint within the allotted time 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 Anthony E. Porcelli
Counsel of Record

¹ The Court has extended the deadline for Plaintiffs to file an amended complaint.