UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

MICHAEL JOSEPH CONCANNON,

    Plaintiff,

v.   Case No. 6:18-cv-2093-Orl-37KRS

INTERNATIONAL CRUISE &
EXCURSIONS,

    Defendant.

ORDER

On March 26, 2019, Plaintiff, proceeding *pro se*, filed a second amended complaint. (Doc. 14 ("**Second Amended Complaint**").) And on March 27, 2019, Plaintiff filed a motion to proceed *in forma pauperis*. (Doc. 15 ("**IFP Motion**")). On referral, U.S. Magistrate Judge Leslie R. Hoffman recommends terminating the IFP Motion and dismissing the Second Amended Complaint without prejudice for failure to state a claim and as an impermissible shotgun pleading, permitting Concannon to file another amended complaint and renewed motion to proceed *in forma pauperis*. (Doc. 16 ("**R&R**").)

The parties did not object to the R&R, and the time for doing so has now passed. As such, the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan. 28, 2016); *see also Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding no such error, the Court concludes that the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. U.S. Magistrate Judge Leslie R. Hoffman's Report and Recommendation (Doc. 16) is **ADOPTED, CONFIRMED**, and made a part of this Order.

2. The First Amended Complaint and Demand for Jury Trial (Doc. 14) is **DISMISSED WITHOUT PREJUDICE.**

3. The Clerk is **DIRECTED** to **TERMINATE** Plaintiff's motion to proceed *in forma pauperis* (Doc. 15).

4. On or before Friday, **May 10, 2019**, Plaintiff Michael Joseph Concannon may file a third amended complaint to cure the deficiencies outlined in the R&R along with a renewed motion to proceed *in forma pauperis*. Failure to timely file an amended complaint will result in closure of the file without further notice.

DONE AND ORDERED in Chambers in Orlando, Florida, on April 23, 2019.

ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record
Pro Se Party