

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

HOPE EBEH,

Plaintiff,

v.

CASE NO. 8:18-cv-2594-T-23TGW

ROGERS PREMIER  
WAREHOUSE, et al.,

Defendants.

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**ORDER**

Hope Ebeh sues (Doc. 1) the defendants under 42 U.S.C. § 1981 and Title VII of the Civil Rights Act and moves (Doc. 2) for leave to proceed *in forma pauperis*. The crux of the complaint is that Ebeh's employers discriminated on the basis of race by firing Ebeh for complaining about the employers' failure to pay Ebeh for one hour and twenty-three minutes of work. A December 12, 2018 report (Doc. 6) correctly recognizes that Ebeh alleges no facts showing a connection between Ebeh's race and an adverse employment action and recommends dismissing the complaint with leave to amend. Objecting (Doc. 7) to the report, Ebeh argues that a fair review of the complaint reveals that Ebeh was fired "based on racial animus." The complaint, however, contains no factual allegations showing that Ebeh's firing was "based on racial animus."

The report and recommendation (Doc. 6) is **ADOPTED**, the objection (Doc. 7) is **OVERRULED**, and the complaint (Doc. 1) is **DISMISSED** for failure to state a claim. Ebeh may amend the complaint no later than **FEBRUARY 8, 2019**. A failure to timely amend will result in a dismissal of this action.

ORDERED in Tampa, Florida, on January 11, 2019.



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STEVEN D. MERRYDAY  
UNITED STATES DISTRICT JUDGE