

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

DENISE ANN GARRETTE,

Plaintiff,

v.

Case No: 8:19-mc-44-T-36CPT

FEDERAL BUREAU OF  
INVESTIGATION,

Defendant.

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**ORDER**

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Christopher P. Tuite on April 16, 2019 (Doc. 3). In the Report and Recommendation, Magistrate Judge Tuite recommends that the Court: 1) Direct the Clerk of Court to open a new civil case and file Plaintiff's complaint and this Report and Recommendation therein; 2) Deny Plaintiff's IFP Motion without prejudice; 3) Dismiss the complaint without prejudice; and 4) Grant Plaintiff permission to file within twenty (20) days of the Court's Order: (a) an amended complaint, which sets forth a cognizable cause of action within the Court's jurisdiction and which conforms to the pleading requirements of the Federal Rules of Civil Procedure; and (b) a renewed motion to proceed *in forma pauperis*; and 4) Direct that the failure to comply with these requirements may result in a dismissal of this action without further notice. 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. 3) is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.
- (2) The Clerk of Court is directed to open a new civil case and file Plaintiff's complaint and the Magistrate Judge's Report and Recommendation therein.
- (3) The Motion to Proceed *in forma pauperis* (Doc. 2) is DENIED without prejudice.
- (4) Plaintiff's Complaint (Doc. 1) is DISMISSED without prejudice.
- (5) Plaintiff is granted leave to file within twenty (20) days of this Order: (a) an amended complaint, which sets forth a cognizable cause of action within the Court's jurisdiction and which conforms to the pleading requirements of the Federal Rules of Civil Procedure; and (b) a renewed motion to proceed *in forma pauperis*.  
**Failure to comply with these requirements may result in a dismissal of the new civil action without further notice.**
- (6) The Clerk is directed to terminate all pending motions and close this miscellaneous case.

**DONE AND ORDERED** at Tampa, Florida on May 28, 2019.

  
Charlene Edwards Honeywell  
United States District Judge

Copies to:  
The Honorable Christopher P. Tuite  
Counsel of Record