

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

JAMES R. LEACH,

Plaintiff,

v.

Case No: 8:19-cv-330-T-36CPT

SARASOTA COUNTY, SARASOTA
SHERIFF'S OFFICE, THOMAS KNIGHT,
ANTHONY ALLPORT, KYLE
POINSETT, LORI BETH CLARK, KARLA
SMALL, KYLE COLLISON and MATT
TUGGLE,

Defendants.

ORDER

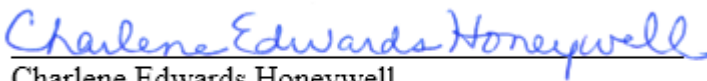
This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Christopher P. Tuite on May 1, 2019 (Doc. 8). In the Report and Recommendation, Magistrate Judge Tuite recommends that the Court: 1) Deny Leach's Application (Doc. 2) without prejudice; 2) Dismiss Leach's amended complaint (Doc. 7) with prejudice with respect to his claims against the SCSO and otherwise without prejudice; 3) Grant Leach permission to file within twenty (20) days of the Court's Order: (a) a second amended complaint, 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. 8) 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 Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 2) is DENIED without prejudice.
- (3) Plaintiff's amended complaint (Doc. 7) is DISMISSED with prejudice with respect to his claims against the Sarasota County Sheriff's Office. The remaining claims in the amended complaint are DISMISSED without prejudice.
- (4) Plaintiff is granted leave to file **within twenty (20) days** of this Order a second amended complaint, which conforms to the pleading requirements of the Federal Rules of Civil Procedure and a renewed motion to proceed *in forma pauperis*.
Failure to comply within the time provided may result in a dismissal of this action without further notice.

DONE AND ORDERED at Tampa, Florida on May 21, 2019.


Charlene Edwards Honeywell
United States District Judge

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