

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

DARNELL A. THOMPSON,

Plaintiff,

v.

CASE NO. 3:19-cv-403-J-32JBT

CRST TRUCKING INC.,

Defendant.

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REPORT AND RECOMMENDATION¹

THIS CAUSE is before the Court *sua sponte*, i.e., on its own motion. The Court previously entered an Order striking pro se Plaintiff's Notice of Private Suit Rights. The Order stated in part:

If Plaintiff intends to pursue a civil action in this Court, on or before May 16, 2019, Plaintiff shall file a proper complaint and either submit the \$400.00 filing fee or complete and file the Affidavit of Indigency attached to this Order. Failure to do so may result in this action being dismissed without further notice.

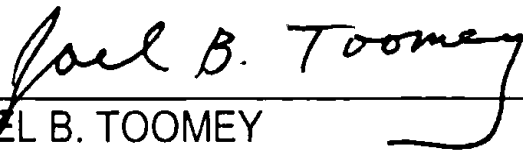
(Doc. 5 at 3.) To date, Plaintiff has not filed anything. Therefore, the undersigned recommends that this case be dismissed without prejudice for lack of prosecution.

¹ "Within 14 days after being served with a copy of [this Report and Recommendation], a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). "A party may respond to another party's objections within 14 days after being served with a copy." *Id.* A party's failure to serve and file specific objections to the proposed findings and recommendations alters the scope of review by the District Judge and the United States Court of Appeals for the Eleventh Circuit, including waiver of the right to challenge anything to which no specific objection was made. See Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(B); 11th Cir. R. 3-1; Local Rule 6.02.

Accordingly, it is respectfully **RECOMMENDED** that:

1. The case be **DISMISSED without prejudice**.
2. The Clerk of Court be directed to terminate any pending motions and close the file.

DONE AND ENTERED at Jacksonville, Florida, on May 29, 2019.



JOEL B. TOOMEY
United States Magistrate Judge

Copies to:

The Honorable Timothy J. Corrigan
United States District Judge

Pro Se Plaintiff