

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

LARRY DONNELL DICKS-LEWIS III,

Plaintiff,

Case No. 5:20-cv-320-Oc-34PRL

vs.

STATE OF FLORIDA, et al.,

Defendants.

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Doc. 5; Report), entered by the Honorable Philip R. Lammens, United States Magistrate Judge, on August 21, 2020. In the Report, Judge Lammens recommends that Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 3) be denied and the case dismissed as frivolous. See Report at 1, 5. No objections to the Report have been filed, and the time for doing so has now passed.

The Court "may accept, reject, or modify, in whole or in part, the finding or recommendations by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at *1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

ORDERED:

1. The Magistrate Judge's Report and Recommendation (Doc. 5) is **ADOPTED** as the opinion of the Court.
2. Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 3) is **DENIED**.
3. This case is **DISMISSED** as frivolous.
4. The Clerk of the Court is directed to terminate any pending motions and close the file.
5. Plaintiff is advised that if he files such frivolous actions in the future, he may be subject to sanctions pursuant to Rule 11 of the Federal Rules of Civil Procedure. In addition, Plaintiff may be deemed an abusive filer, his in forma pauperis status may be denied prospectively, and the Clerk may be directed to refuse to accept any further filings from Plaintiff absent the full filing fee.

DONE AND ORDERED in Chambers this 10th day of September, 2020.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record

Pro Se Parties