

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

JEROME HEAVEN, JR ,

Plaintiff,

v.

Case No: 5:23-cv-593-MMH-PRL

**INTERFAITH EMERGENCY
SERVICE,**

Defendant.

REPORT AND RECOMMENDATION¹

On October 2, 2023, Plaintiff Jerome Heaven, Jr., a frequent filer in this Division, filed a *pro se* Complaint against Defendant. (Doc. 1). Because Plaintiff neither paid the filing fee nor moved to proceed *in forma pauperis*, the Court issued an Order directing Plaintiff to do so on or before February 1, 2024. (Doc. 3). The Court cautioned that “[f]ailure to comply with this Order will result in the recommendation that this matter be dismissed.”

To date, Plaintiff has failed to comply with the Court’s Order. He has not paid the filing fee, nor has he moved to proceed *in forma pauperis*. Accordingly, I recommend that Plaintiff’s complaint (Doc. 1) be dismissed.

Recommended in Ocala, Florida on February 13, 2024.

¹ Within 14 days after being served with a copy of the recommended disposition, a party may file written objections to the Report and Recommendation’s factual findings and legal conclusions. *See* Fed. R. Civ. P. 72(b)(3); Fed. R. Crim. P. 59(b)(2); 28 U.S.C. § 636(b)(1)(B). A party’s failure to file written objections waives that party’s right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. *See* 11th Cir. R. 3-1.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Presiding District Judge
Counsel of Record
Unrepresented Party
Courtroom Deputy