

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

DEVIN BROWN,

Plaintiff,

v.

Case No: 8:23-cv-741-CEH-UAM

PHILLIP MCLEOD,

Defendant.

_____ /

ORDER

This cause comes before the Court on the Report and Recommendation filed by Magistrate Judge Natalie Hirt Adams on April 1, 2024 (Doc. 15), recommending that Plaintiff's Motion to proceed *in forma pauperis* (Doc. 13) be denied and Plaintiff's amended complaint (Doc. 12) be dismissed with prejudice, that is, without the ability to re-file. 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, confirmed, and approved in all respects. Accordingly, it is now,

ORDERED AND ADJUDGED that:

1. The Report and Recommendation of the Magistrate Judge (Doc. 15) is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.

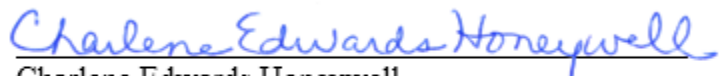
2. Plaintiff's motion to proceed *in forma pauperis* (Doc. 13) is **DENIED**.

3. Plaintiff's Amended Complaint (Doc. 12) is **DISMISSED**, with prejudice.¹

4. This action is dismissed for failure to state a claim upon which relief can be granted.

5. The Clerk is directed to terminate any pending motions and deadlines and close this case.

DONE and **ORDERED** in Tampa, Florida, this 23rd day of April 2024.


Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Natalie Hirt Adams
Counsel of Record

¹ Plaintiff has already been afforded one opportunity to amend. Plaintiff is not permitted to file a Second Amended Complaint.