

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

EVANTHONY R. NORMAN,

Plaintiff,

v.

Case No. 8:24-cv-79-TPB-SPF

AMAZON PAYMENTS INC., and  
AMAZON.COM INC.,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the Court on the report and recommendation of Sean P. Flynn, United States Magistrate Judge. (Doc. 9). Judge Flynn recommends the Court deny without prejudice Plaintiff's motion to proceed *in forma pauperis* (Doc. 2) and dismiss the complaint (Doc. 1), with leave to amend. No objection to the report and recommendation has been filed, and the time to object has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); 718 F.2d 198, 199 (4th Cir. 1983); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). A district court must "make a de novo determination of those portions of the [report and recommendation] to which an objection is made." 28 U.S.C. § 636(b)(1)(C). When no objection is filed, a court reviews the report and recommendation for clear error. *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006); *Nettles v. Wainwright*, 677 F.2d 404, 409 (5th Cir. 1982).

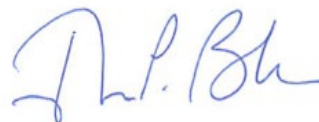
After careful consideration of the record, including Judge Sansone's well-reasoned report and recommendation, the Court adopts the report and recommendation. Consequently, the Commissioner's decision is affirmed.

Accordingly, it is

**ORDERED, ADJUDGED, and DECREED:**

1. Judge Flynn's report and recommendation (Doc. 9) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
2. Plaintiff's motion to proceed *in forma pauperis* (Doc. 2) is **DENIED WITHOUT PREJUDICE**.
3. The complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**, with leave to amend. On or before April 25, 2024, Plaintiff is directed to file an amended complaint to cure the deficiencies identified in the report and recommendation, along with a renewed motion to proceed *in forma pauperis*. Failure to file an amended complaint as directed will result in this Order becoming a final judgment.

**DONE** and **ORDERED** in Chambers, in Tampa, Florida, this 4th day of April, 2024



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**TOM BARBER**  
**UNITED STATES DISTRICT JUDGE**