

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

LATREASE BENFORD,

Plaintiff,

v.

Case No. 8:24-cv-1284-TPB-AEP

FERMAN CHEVROLET AND
MAZDA OF TAMPA,

Defendant.

_____ /

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the report and recommendation of Anthony E. Porcelli, United States Magistrate Judge. (Doc. 6). Judge Porcelli recommends the Court deny Plaintiff's motion to proceed *in forma pauperis* (Doc. 4) and dismiss the amended complaint with prejudice. (Doc. 3). 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); *Camby v. Davis*, 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 Porcelli's well-reasoned report and recommendation, the Court adopts the report and recommendation.

Accordingly, it is

ORDERED, ADJUDGED, and DECREED:

1. Judge Porcelli's report and recommendation (Doc. 6) 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. 4) is **DENIED**.
3. The amended complaint (Doc. 3) is **DISMISSED WITH PREJUDICE**.
4. The Clerk is directed to close this case.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 11th day of September, 2024.



TOM BARBER
UNITED STATES DISTRICT JUDGE