

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

OTIS BLAXTON,

Plaintiff,

v.

Case No. 8:24-cv-1973-MSS-AAS

HILLSBOROUGH COUNTY,

Defendant.

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REPORT AND RECOMMENDATION

After reviewing the plaintiff's complaint and application to proceed *in forma pauperis* (Docs. 1, 2), the court took the plaintiff's motion under advisement pending the plaintiff submitting an amended complaint by September 30, 2024. (Doc. 3). The court warned the plaintiff that failure to timely file an amended complaint may result in a recommendation of denial of the motion to proceed *in forma pauperis*. (*Id.*). To date, the plaintiff has not filed an amended complaint.¹

¹ To proceed in forma pauperis, the plaintiff's complaint must state a viable cause of action that satisfies the screening process of 28 U.S.C. § 1915(e)(2)(B). However, if he does not wish to amend his complaint, the plaintiff may pay the filing fee and conduct proper service of process of his current complaint.

Thus, it is **RECOMMENDED** that the plaintiff's motion for leave to proceed *in forma pauperis* (Doc. 2) be **DENIED**, and the complaint (Doc. 1) be **DISMISSED without prejudice**.

ENTERED in Tampa, Florida on October 15, 2024.



AMANDA ARNOLD SANSONE
United States Magistrate Judge

NOTICE TO PARTIES

The plaintiffs have fourteen days from the date they are served a copy of this report to file written objections to this report's proposed findings and recommendations or to seek an extension of the fourteen-day deadline to file written objections. 28 U.S.C. § 636(b)(1); 11th Cir. R. 3-1. A party's failure to object timely in accordance with 28 U.S.C. § 636(b)(1) waives that party's right to challenge on appeal the district court's order adopting this report's unobjected-to factual findings and legal conclusions. 11th Cir. R. 3-1.

cc:

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