

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

BRYANT LUMPKIN,

Plaintiff,

v.

Case No. 8:24-cv-2858-WFJ-AEP

BANK OF AMERICA, N.A.,

Defendant.

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ORDER

This cause comes before the Court on Plaintiff’s application to proceed *in forma pauperis* (Dkt. 2) and the complaint (Dkt. 1). The United States Magistrate Judge issued a report recommending that the motion be denied. Dkt. 3. The time for filing objections has passed.

The Court reviews the legal conclusions *de novo* in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App’x 554, 556 (11th Cir. 2010) (citation omitted); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994). The magistrate judge found that Plaintiff did not establish *in forma pauperis* status where the complaint alleges that he was financially eligible to receive, but was wrongly denied, a \$200,000 loan for a car. Dkt. 3; Dkt. 1 at 2 (alleging “there was no legitimate financial basis for the denial” of credit other than a discriminatory reason). After conducting an independent examination of the file, the Court agrees with the Report and Recommendation and rules as follows:

1. The Report and Recommendation (Dkt. 3) is adopted, confirmed, and approved in all respects and made a part of this order.

2. Plaintiff's motion to proceed *in forma pauperis* (Dkt. 2) is denied. The Court notes that a contrary ruling was issued in an earlier case. The instant case is materially different. *See* Dkt. 3 at 3.

3. Plaintiff must pay the filing fee to continue this action. Failure to pay the filing fee within fourteen (14) days will result in the dismissal of this matter without further notice.

DONE AND ORDERED at Tampa, Florida, on January 21, 2025.



WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

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Plaintiff, *pro se*