

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

JAMES EMORY CARTER,

Plaintiff,

-vs-

Case No. 3:16-cv-1162-J-34JRK

DOREAH CORBETT WOODS, et al.,

Defendants.

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**ORDER**

**THIS CAUSE** is before the Court on the Amended Report and Recommendation (Dkt. No. 15; Report), entered by the Honorable James R. Klindt, United States Magistrate Judge, on January 12, 2017. In the Report, Magistrate Judge Klindt recommends that Plaintiff's Affidavit of Indigency (Dkt. No. 2), construed as a Motion to Proceed In Forma Pauperis, be denied, that all other remaining motions and petitions be denied, and that this case be dismissed without prejudice. See Report at 6. Plaintiff has failed to file objections to the Report, and the time for doing so has now passed.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of fact are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11<sup>th</sup> Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11<sup>th</sup> Cir. 1994); United

States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615 at \*1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

**ORDERED:**

1. The Magistrate Judge's Report and Recommendation (Dkt. No. 15) is **ADOPTED** as the opinion of the Court.

2. Plaintiff's Affidavit of Indigency (Dkt. No. 2), construed as a Motion to Proceed In Forma Pauperis, is **DENIED**.

3. All other remaining motions and petitions (Dkt. Nos. 6, 7, 9, 10, and 11) are **DENIED**.

4. This case is **DISMISSED without prejudice**.

5. The Clerk of the Court is directed to close the file.

**DONE AND ORDERED** at Jacksonville, Florida, this 7th day of February, 2017.

  
MARCIA MORALES HOWARD  
United States District Judge

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Copies to:

Counsel of Record

Pro Se Party