

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

STEVEN IVEY,

Plaintiff,

-vs-

Case No. 6:11-cv-1776-Orl-22DAB

**RONALD BLOCKER,
SUPERINTENDENT, ET. AL, TED
PRICE, DERREN OAKS, JOSEPH
MCCOY, ALEX HIDELBERG,
CATHERINE VAN KIRK, ROSE
KELLAM, ORANGE COUNTY PUBLIC
SCHOOLS,**

Defendants.

ORDER

This cause is before the Court on a Motion to Proceed In Forma Pauperis (Doc. No. 2), filed on November 8, 2011.

The United States Magistrate Judge has submitted a report recommending that the motion be denied without prejudice and the complaint be dismissed without prejudice and with leave to amend. (Doc. No. 3.)


After an independent *de novo* review of the record in this matter,¹ the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendations. Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation filed November 29, 2011 (Doc. No. 3), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Motion to Proceed In Forma Pauperis (Doc. No. 2) filed on November 8, 2011, is DENIED.
3. The Complaint (Doc. No. 1) is DISMISSED WITHOUT PREJUDICE.
4. Plaintiff is granted leave to file an amended complaint, on or before January 3, 2012, that cures the pleading deficiencies identified in the Report and Recommendation. **Failure to file an amended complaint by this date may result in dismissal of this case without further notice.**

DONE and **ORDERED** in Chambers, in Orlando, Florida on December 19, 2011.

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party


ANNE C. CONWAY
United States District Judge

¹On December 14, 2011, Plaintiff filed a Motion to Amend Complaint (Doc. No. 4). The Magistrate Judge denied that motion because it was unsigned and failed to comply with this Court's Local Rules regarding amendment of pleadings. *See* Doc. No. 6. To the extent the motion might also be construed as raising objections to the Report and Recommendation, those objections are not properly before the Court because the document containing them has been stricken. Even they were properly before the Court, such objections are without merit.