

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

HOWARD RICH,

Plaintiff,

-vs-

Case No. 6:11-cv-1936-Orl-31DAB

**CITY OF ORLANDO, MAYOR;
ORLANDO POLICE DEPT., CHIEF OF
POLICE; REP. W. ANDERSON; and REP.
B. ALMEIDA,**

Defendants.

ORDER

This cause comes before the Court on the Application to Proceed in District Court Without Prepaying Fees and Costs (Doc. No. 2) filed December 2, 2011.

On December 14, 2011, the United States Magistrate Judge issued a report (Doc. No. 5) recommending that the complaint be dismissed and that the application be denied. No objections have been filed. Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation is **ADOPTED** and **CONFIRMED** as part of this Order.
2. The complaint in this case is **DISMISSED** without prejudice. Plaintiff may file an amended complaint by January 17, 2012, which complies with the dictates of the Report and

Recommendation. Failure to timely file an amended complaint will result in the case being dismissed and closed without further notice.

3. The Application to Proceed *in forma pauperis* is **DENIED** without prejudice.

Plaintiff may file a renewed motion with the Amended Complaint.

DONE and **ORDERED** in Chambers, Orlando, Florida on this 3rd day of January, 2012.



GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party