

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

**USA,**

**Plaintiff,**

**-vs-**

**Case No. 6:12-mc-123-Orl-28GJK**

**LEROY BERRY, KATHY KRELL, JIM  
KACZKOWSKI, and NEIL J. DASH,**

**Defendants.**

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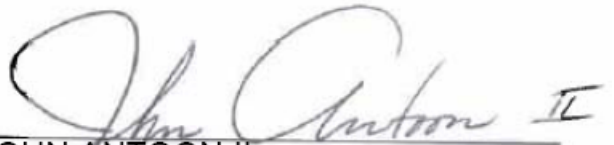
**ORDER**

This case is before the Court on a Motion to Proceed without Prepayment of Fees (Doc. No. 2) filed by Dontavious Smith on December 26, 2012. The United States Magistrate Judge has submitted a report recommending that the motion be denied and the criminal complaint be dismissed with prejudice.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation. Therefore, it is **ORDERED** as follows:

1. That the Report and Recommendation filed March 15, 2013 (Doc. No. 3) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Motion to Proceed without Prepayment of Fees (Doc. No. 2) is **DENIED**.
3. The criminal complaint is **DISMISSED with prejudice**.
4. The Clerk of the Court is directed to close this file.

**DONE** and **ORDERED** in Chambers, Orlando, Florida this 9th day of April, 2013.



JOHN ANTOON II  
United States District Judge

Copies furnished to:

United States Magistrate Judge  
Unrepresented Party