UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

CONNIE STEELMAN,

Plaintiff,

v. Case No: 6:13-cv-357-Orl-36DAB

STATE OF FLORIDA, RCI, RCI AFFILIATES, GORDON GURNIK,

Defendants.
_____/

ORDER

This cause comes before the Court upon the Report and Recommendation filed by United States Magistrate Judge David A. Baker on May 9, 2013 (Doc. 7). In the Report and Recommendation, Judge Baker recommends that the Court deny *pro se* Plaintiff Connie Steelman's ("Plaintiff") Motion for Leave to Proceed *In Forma Pauperis* (Doc. 2). Doc. 7, pp. 2-5. Neither party has objected to the Report and Recommendation and the time to do so has expired.

On February 19, 2013, Magistrate Judge Baker issued a Report and Recommendation in *Connie Steelman v. State of Florida, et. al.,* Case No: 6:13-cv-123-Orl-36DAB, recommending dismissing Plaintiff's Complaint and denying her Motion for Leave to Proceed *In Forma Pauperis* because the Complaint failed to state a claim for relief under the Americans with Disabilities Act, 42 U.S.C. § 12112 ("ADA"). *See* 6:13-cv-123-Orl-36DAB, Doc. 4. Specifically, Plaintiff did not make any allegations against the State of Florida, failed to allege the location of the real property where she allegedly experienced discrimination, failed to show that Defendants RCI, RCI Affiliates, or Gordon Gurnick are owners or operators of such real property, and the allegations that she plans to return to the property are insufficient to establish a

real and immediate threat of future injury. *Id.* at 4; *see* Doc. 1. Accordingly, on March 18, 2013, this Court dismissed Plaintiff's Complaint and denied her Motion for Leave to Proceed *In Forma Pauperis* in 6:13-cv-123. *See* Case No: 6:13-cv-123, Doc. 4.

However, before the Court approved Magistrate Judge Baker's Report and Recommendation in Case No: 6:13-cv-123, Plaintiff filed an identical Complaint in this action which was transferred to the undersigned. *See* Docs. 2-4. The Court is in agreement with the Magistrate Judge that Plaintiff's Complaint in this action, which appears to be identical to the Complaints filed in 6:13-cv-123, suffers from the same deficiencies previously identified. Doc. 7; *see* Doc. 1. Further, the Court agrees with Magistrate Judge Baker that it appears Plaintiff cannot state a claim against these Defendants and her Complaint should be dismissed. *Id.* at 4. Therefore, after careful consideration of the Report and Recommendation of the Magistrate Judge, in conjunction with an independent examination of the court file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

Accordingly, it is hereby **ORDERED and ADJUDGED**:

1. The Report and Recommendation of the Magistrate Judge (Doc. 7) is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.
2. The Complaint (Doc. 1) is **DISMISSED** for failure to state a claim upon which relief can be granted.
3. Plaintiff Connie Steelman's Motion to Proceed *In Forma Pauperis* (Doc. 2) is **DENIED** as moot**.**
4. The Clerk is directed to terminate all deadlines and close this case.

DONE and **ORDERED** in Orlando, Florida on May 30, 2013.

Charlene Edwards Honeywell
Charlene Edwards Honeywell
United States District Judge

Copies furnished to:
Counsel of Record
Unrepresented Parties