

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

DONTAVIOUS SHERRODE SMITH,

Plaintiff,

v.

Case No: 6:13-cv-516-Orl-22DAB

**CHAIRMAN OF THE POSTAL
SERVICE BOARD OF GOVERNORS
FOR THE U.S. POSTAL SERVICE,**

Defendant.

ORDER

This cause is before the Court on Motion for Leave to Proceed In Forma Pauperis (Doc. No. 2) filed on March 29, 2013.

The United States Magistrate Judge has submitted a report recommending that the Motion be DENIED and the 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. However, at this juncture the Court will not limit Plaintiff's access to future filings. Plaintiff is advised that continued filings of meritless complaints will result in such limitation consistent with *Martin-Trigona v. Shaw*, 986 F.2d 1384, 1386 (11th Cir. 1993).

Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation filed April 3, 2013 (Doc. No. 3), is ADOPTED and CONFIRMED and made a part of this Order.
2. The Motion for Leave to Proceed In Forma Pauperis is hereby DENIED.
3. The Complaint is DISMISSED WITH PREJUDICE.

4. The Clerk is directed to CLOSE the file.

DONE and **ORDERED** in Orlando, Florida on April 19, 2013.


ANNE C. CONWAY
United States District Judge

Copies furnished to:

Dontavious Sherrode Smith, pro se