

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

**MICHAEL A. SMALDORE,**

**Plaintiff,**

**v.**

**Case No: 6:14-cv-1713-Orl-22DAB**

**DARRIN FOURNIE and DENNIS  
RUSSO,**

**Defendants.**

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**ORDER**

This cause is before the Court on the Motion for Leave to Proceed In Forma Pauperis (Doc. No. 2) filed on October 21, 2014.


The United States Magistrate Judge has submitted a report recommending that the Motion be DENIED and the Complaint be DISMISSED for lack of jurisdiction.

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. The Report and Recommendation filed October 24, 2014 (Doc. No. 4), 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. This case is DISMISSED for lack of jurisdiction.
4. The Clerk is directed to CLOSE the file.

**DONE** and **ORDERED** in Orlando, Florida on November 17, 2014.

  
ANNE C. CONWAY  
United States District Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties