

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

DAISHAWN DECOSEY,

Plaintiff,

v.

Case No: 6:14-cv-2038-Orl-41KRS

FACEBOOK INCOPORATED,

Defendant.

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ORDER

THIS CAUSE is before the Court on Plaintiff's Application to Proceed in District Court without Prepaying Fees or Costs (the "Application"), filed on December 11, 2014. (Doc. 2). United States Magistrate Judge Karla R. Spaulding submitted a Report and Recommendation on December 15, 2014, which recommends that this Court: (1) dismiss the Complaint (Doc. 1), (2) deny the Application, and (3) permit Plaintiff to file an amended complaint, through counsel, on behalf of Wax Guff LLC or an amended complaint asserting personal claims. (Doc. 3, at 3–4). Additionally, Judge Spaulding recommends that the Court advise Plaintiff that the failure to file an amended complaint within the time specified by the Court would result in dismissal of this case. (*Id.*).

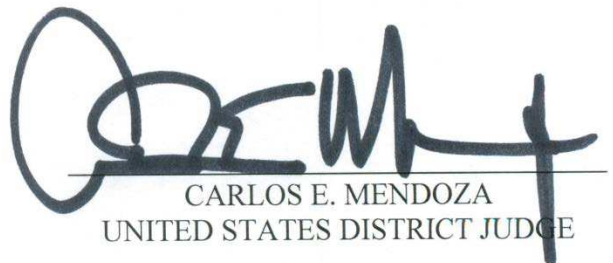
After an independent *de novo* review of the record and noting that no objections were timely filed, this Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.

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

1. The Report and Recommendation (Doc. 3) filed on December 15, 2014, is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. The Complaint (Doc. 1) filed on December 11, 2014, is **DISMISSED without prejudice**.
3. The Application (Doc. 2) filed on December 11, 2014, is **DENIED**.
4. On or before **January 21, 2015**, Plaintiff may file:
 - a. An amended complaint, through appropriate counsel, on behalf of Wax Guff LLC or
 - b. An amended complaint on behalf of himself, Daishawn Decosey, with or without an amended application to proceed *in forma pauperis*.
5. The failure to file an amended complaint within the time period specified in the preceding paragraph may result in closure of the case without further notice.

DONE and ORDERED in Orlando, Florida on January 8, 2015.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Unrepresented Parties