

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

BRYAN HENNING,

Plaintiff,

v.

Case No: 6:15-cv-1520-Orl-40KRS

GARY HARREL, B. GRIFFIN, BEACH
AUTO BODY INC. and BREVARD
COUNTY,

Defendants.

ORDER

This cause is before the Court on Plaintiff's Motion for Leave to Proceed in forma pauperis (Doc. 4) filed on November 30, 2015. The United States Magistrate Judge has submitted a report recommending that the motion be denied without 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. The Report and Recommendation filed March 15, 2016 (Doc. 6), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Counts I, II, III, V, VI and VII against Defendants Harrel and Griffin, in their official capacities are **DISMISSED with prejudice**.
3. Count IV against Defendants Harrel and Griffin, in their official capacities is **DISMISSED without prejudice**.

4. The remaining allegations in Counts I, VI, VII, VIII and the requests for declaratory relief are **DISMISSED without prejudice** for failure to state claims on which relief can be granted.

5. Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 4) is **DENIED without prejudice**.

6. Plaintiff may file an amended complaint and a long-form affidavit of indigency on or before April 25, 2016. Failure to timely file an amended complaint and a long-form affidavit of indigency will result in this case being dismissed without prejudice and without further notice.

DONE AND ORDERED in Orlando, Florida on April 4, 2016.


PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties