

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JAIME L. ALBINO,

Plaintiff,

v.

Case No. 6:16-cv-2151-Orl-37DCI

BEVERLY ALBINO; DIANA M.
TENNIS; ANN COFFIN; JEFFREY L.
ASHTON; FREDERICK J. LAUTEN;
PAMELA BONDI; HERNAN CASTRO;
and NORBERTO KATZ,

Defendants.

ORDER

This matter is before the Court on review of a Report and Recommendation (Doc. 6 (“**Report**”)), in which U.S. Magistrate Judge Daniel C. Irick advises the Court to deny the pro se Plaintiff’s application to proceed *in forma pauperis* (Doc. 2 (“**Application**”)) and to dismiss the Complaint for lack of subject matter jurisdiction in accordance with 28 U.S.C. § 1915 (Doc. 6). Pursuant to Federal Rule of Civil Procedure 72, the Plaintiff was required to file his objections to the Report—if any—on or before February 23, 2017. *See* Fed. R. Civ. P. 72(b)(2); *see also* Fed. R. Civ. P. 6(d). That deadline has passed, and Plaintiff did not file objections. Accordingly, the Court may now “accept, reject, or modify” the “recommended disposition” set forth in the Report. *See* Fed. R. Civ. P. 72(b)(3). Absent objections from Plaintiff, and upon careful review, the Court finds that the Report is due to be accepted, the Complaint (Doc. 1) is due to be dismissed without prejudice, and the

Application (Doc. 2) is due to be denied. As further recommended by Magistrate Judge Irick, Plaintiff will be granted leave to file an Amended Complaint. (Doc. 6, p. 4.)


III. CONCLUSION

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. U.S. Magistrate Judge Daniel C. Irick's Report and Recommendation (Doc. 6) is **ACCEPTED, ADOPTED**, and made part of this Order.
2. The Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 2) is **DENIED without prejudice**.
3. Plaintiff's Complaint (Doc. 1) is **DISMISSED without prejudice**.
4. On or before **March 13, 2017**, Plaintiff may file an Amended Complaint that must comply in all respects with the minimum pleading requirements set forth in Rules 8 and 10 of the Federal Rules of Civil Procedure.
5. If Plaintiff fails to comply with this Order in the time prescribed above, this matter will be closed without further notice.

DONE AND ORDERED in Orlando, Florida, this 28th day of February, 2017.




ROY B. DALTON JR.
United States District Judge

Copies to:

Pro Se Plaintiff

Counsel of Record