

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ROY L. SMARTT,

Plaintiff,

v.

Case No: 6:17-cv-354-Orl-41TBS

PAUL G. IRICK,

Defendant.

_____ /

ORDER

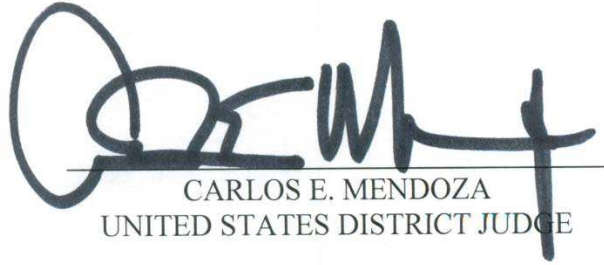
THIS CAUSE is before the Court on Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 2). United States Magistrate Judge Thomas B. Smith submitted a Report and Recommendation (Doc. 5), in which he recommends that the motion be denied and the Complaint (Doc. 1) be dismissed without prejudice and without leave to amend.

After a *de novo* review of the record, and noting that no objections were timely filed, this Court agrees with the analysis in the Report and Recommendation.

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

1. The Report and Recommendation (Doc. 5) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 2) is **DENIED**.
3. The Complaint (Doc. 1) is **DISMISSED without prejudice**. The Clerk is directed to close this case.

DONE and **ORDERED** in Orlando, Florida on April 19, 2017.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Unrepresented Party