

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

TINA LYNNE WAGONER,

Plaintiff,

v.

Case No: 6:17-cv-917-Orl-40KRS

DONNA LEE (SMITH) WAGONER,

Defendant.

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**ORDER**

This cause is before the Court on Plaintiff's Motion to Proceed *in forma pauperis* (Doc. 5) filed on September 29, 2017. The United States Magistrate Judge has submitted a report recommending that the motion be denied.

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 2, 2017 (Doc. 6), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Complaint (Doc. 1) is **DISMISSED**.
3. The Motion to Proceed *in forma pauperis* (Doc. 5) is **DENIED**.
4. Plaintiff may file an amended complaint on or before November 13, 2017 along with a renewed motion to proceed *in forma pauperis*. Failure to timely file an amended complaint will result in dismissal of the case without further notice.

**DONE AND ORDERED** in Orlando, Florida on October 23, 2017.

  
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PAUL G. BYRON  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Parties