

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

JOHN PETERSON JANVIER,

Plaintiff,

v.

Case No: 6:17-cv-1001-Orl-40DCI

BILL COWLES,

Defendant.

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**ORDER**

This cause is before the Court on Plaintiff's Application to Proceed in District Court without Prepaying Fees and Costs (Doc. 2) filed on June 2, 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 June 13, 2017 (Doc. 4), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Application to Proceed in District Court without Prepaying Fees and Costs (Doc. 2) is **DENIED**.
3. The Complaint (Doc. 1) is **DISMISSED without prejudice**.
4. Plaintiff is granted leave to do the following no later than 21 days after the date of this Order:
  - a. File an amended complaint; and

b. File a renewed motion to proceed *in forma pauperis* or pay the full filing fee.

5. Plaintiff is admonished that failure to file an amended complaint and a renewed motion to proceed *in forma pauperis* or pay the full filing fee in the time provided may result in the case being dismissed.

6. The Clerk is **DIRECTED** to send a copy of this report and recommendation to Plaintiff by regular and certified mail.

**DONE AND ORDERED** in Orlando, Florida on June 29, 2017.

  
PAUL G. BYRON  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Parties