

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

GRADY DAVIS, JR.,

Plaintiff,

v.

Case No.: 8:09-cv-571-T-33TGW

CHARLES HARMON, *et al.*,

Defendants.

ORDER

The Court raises this issue *sua sponte*. Plaintiff filed a Motion to Proceed *In Forma Pauperis* (Doc. 2). Magistrate Judge Thomas G. Wilson issued a Report and Recommendation (Doc. 3) recommending denial of the Motion to Proceed *In Forma Pauperis* (Doc. 2) and dismissal of the Complaint (Doc. 1) for failure to state a claim upon which relief could be granted under 28 U.S.C. § 1915(e)(2)(B)(ii).

On April 28, 2009, the Court issued an Order (Doc. 4) accepting and adopting the Report and Recommendation and dismissing the Complaint (Doc. 4). In the same Order, the Court directed Plaintiff to file an Amended Complaint within ten (10) days or this case would be closed. Plaintiff failed to file anything within the time allotted.


Accordingly, it is

ORDERED, ADJUDGED and **DECREED** that:

This case is **DISMISSED** pursuant to 28 U.S.C.

§ 1915(e)(2)(B)(ii). The Clerk is directed to **CLOSE** this case.

DONE and **ORDERED** from Chambers in Tampa, Florida on this 9th day of June 2009.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies to: All parties of record