

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

BRIAN DODD, TIMOTHY VAUGHN
KEMP, and CLAUDE WILLIAMS
JAGGERS,

Plaintiffs,

v.

CASE NO.: 8:10-cv-21-T-23TGW

UNITED STATES OF AMERICA, et al.,

Defendants.

ORDER

The plaintiff, Brian Dodd, files a “complaint” (Doc. 1) for a declaratory judgment of “torture, cruelty and inhuman treatment, human trafficking, false imprisonment, employment discrimination, disability discrimination, stalking, kidnapping, official misconduct, R.I.C.O., defamation of character, obstruction of justice, conspiracy against rights, copyright infringement, consumer and insurance fraud, behavior modification, medical malpractice, negligence, lost wages, hazardous products, clemency, punitive and compensatory damages, and injunctive relief” apparently arising from a drug treatment program called Straight Incorporated (“Straight, Inc.”). Dodd purports to act as the “litigant for [the] plaintiffs” and requests other extraordinary relief. (Doc. 1)

Additionally, Dodd and Jagers move (Docs. 2-3) for leave to proceed in forma pauperis ("IFP").¹ Magistrate Judge Thomas G. Wilson recommends (Doc. 4) denial of both motions and dismissal of the "complaint" with leave to amend. Dodd objects (Doc. 6) to certain parts of the report and recommendation. A *de novo* determination of those portions of the report and recommendation to which the plaintiff objects reveals that the objections either are unfounded or otherwise require no different resolution. Accordingly, the report and recommendation (Doc. 4) is **ADOPTED** and the motions (Docs. 2-3) are **DENIED**. The "complaint" (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**. The plaintiffs are granted leave to file an amended complaint (1) that complies with the Local Rules and the Federal Rules of Civil Procedure, (2) that contains a short and plain statement of a claim on which relief may be granted, and (3) that is otherwise free of any malicious, frivolous, or scandalous matter, no later than **February 15, 2010**. Failure to comply with this order will result in dismissal without further notice.

ORDERED in Tampa, Florida, on January 29, 2010.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE

¹ The statute governing proceedings in forma pauperis, 28 U.S.C. § 1915, provides that:

[n]otwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that . . . the action . . . (i) is frivolous or malicious . . . (ii) fails to state a claim on which relief may be granted . . . or (iii) seeks monetary relief against a defendant who is immune from such relief.