

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

JAMES M. VARDON,

Plaintiff,

vs.

Case No. 8:11-CV-1032-T-27TBM

**FLORIDA STATE
BOARD OF ADMINISTRATION, a/k/a
Florida Department of
Management Services,**

Defendant.

_____ /

ORDER

BEFORE THE COURT is the Report and Recommendation submitted by the Magistrate Judge (Dkt. 3) recommending that Plaintiff's Complaint (Dkt. 1) be dismissed and Plaintiff's construed motion to proceed *in forma pauperis* (Dkt. 2) be denied without prejudice. Plaintiff filed no objections to the Report and Recommendation.

After careful consideration of the Report and Recommendation in conjunction with an independent examination of the file, the Court is of the opinion that the Report and Recommendation should be adopted, confirmed, and approved.

1) The report (Dkt. 3) is adopted, confirmed, and approved and is made a part of this order for all purposes, including appellate review.

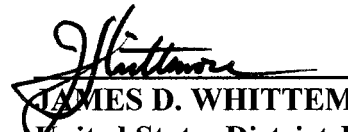
2) Plaintiff's Complaint (Dkt. 1) is **DISMISSED**.

3) Plaintiff's Application to Proceed *in forma pauperis* (Dkt. 2) is **DENIED** without prejudice.

4) Plaintiff shall file an amended complaint within **twenty (20) days** of the date of this Order, failing which this case will be dismissed without further notice.

5) The amended complaint shall include a short and plain statement of Plaintiff's claims and shall include (a) a brief description of the event or events upon which each claim is based, (b) a brief description of what Defendant did or failed to do and how Defendant's act or omission injured Plaintiff, and (c) a short and plain statement of the basis for federal subject matter jurisdiction.

DONE AND ORDERED in chambers this 22nd day of June, 2011.


JAMES D. WHITTEMORE
United States District Judge

Copies to: *pro se* Plaintiff