

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

ALLEN M. WILLIAMS, *pro se*,

Plaintiff,

v.

Case No: 8:15-cv-288-T-30TGW

JUSTIN CASE, BRIAN BERND, CITY  
OF NEW PORT RICHEY, FLORIDA,  
CHRIS NOCCO, BERNIE MCCABE,  
CORPORAL DEROUIN, JOHN DOE,  
JUSTIN CASE, CORPORAL DEROUIN,  
and BRIAN BERND,

Defendants.

---

**ORDER**

**THIS CAUSE** came on for consideration upon the Report and Recommendation submitted by Magistrate Judge Thomas G. Wilson (Dkt. #6). The Court notes that any objection to the Report and Recommendation would be futile because, based upon the Court's review of the Report and Recommendation and the *pro se* Plaintiff's Complaint, amendment is required under the Federal Rules of Civil Procedure for the reasons stated in the Magistrate Judge's Report and Recommendation.

**ACCORDINGLY**, it is therefore **ORDERED AND ADJUDGED** as follows:


1. The Report and Recommendation (Dkt. #6) of the Magistrate Judge is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.
2. Plaintiff's Complaint is dismissed without prejudice.

3. Plaintiff's Motion for Leave to Proceed in Forma Pauperis (Dkt. #2) is denied without prejudice.

4. Should he wish to do so, Plaintiff has thirty (30) days from the date of this Order in which to file an Amended Complaint and a supplement explaining his inability to pay the filing fee.

5. Plaintiff's failure to file an Amended Complaint and a supplement within the thirty (30) day period may result in the closure of this case without further notice.

**DONE** and **ORDERED** in Tampa, Florida, this 2nd day of March, 2015.

  
\_\_\_\_\_  
**JAMES S. MOODY, JR.**  
**UNITED STATES DISTRICT JUDGE**

Copies Furnished To:  
Counsel/Parties of Record

S:\Even\2015\15-cv-288 adopt 6.docx