

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

BRION HERU'EL OFRIKA BEY,

Plaintiff,

v.

Case No: 8:15-cv-2054-T-36TBM

PEAK 14, LLC,

Defendant.

ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Thomas B. McCoun III on September 18, 2015 (Doc. 6). In the Report and Recommendation, Magistrate Judge McCoun recommends the Court Dismiss the Complaint (Doc. 1), DENY Plaintiff's construed motion to proceed *in forma pauperis* (Doc. 2), and direct the Clerk to close the case. All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed.

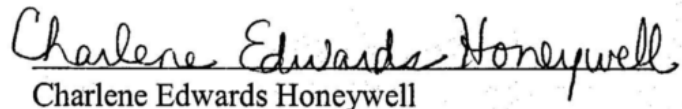
Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted. Accordingly, it is now

ORDERED AND ADJUDGED:

- (1) The Report and Recommendation of the Magistrate Judge (Doc. 6) 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 Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 2) is **DENIED**.

- (3) This matter is dismissed.
- (4) The Clerk is directed to terminate all pending motions and deadlines and close this case.

DONE AND ORDERED at Tampa, Florida on October 8, 2015.


Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Thomas B. McCoun III
Counsel of Record