

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

THEOPHILUS E. GREEN,

Plaintiff,

v.

Case No. 8:16-cv-203-T-33TGW

NANCY L. VOIGHT, UNITED STATES  
ATTORNEY, UNITED STATES ATTORNEY  
GENERAL, DEPARTMENT OF JUSTICE,  
VETERAN AFFAIRS (VA),  
COMMISSIONER OF SOCIAL SECURITY,  
U.S. DEPARTMENT OF HEALTH AND  
HUMAN SERVICES, U.S. DEPARTMENT  
OF TREASURY, and BLUE CROSS BLUE  
SHIELD OF ILLINOIS,

Defendants.

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**ORDER**

This cause comes before the Court sua sponte. On January 26, 2016, pro se Plaintiff Theophilus Green initiated this lawsuit against various Defendants, including, but not limited to, the United States Attorney, the Department of Justice, and the Commissioner of Social Security, and in connection therewith, filed a Motion for a Temporary Restraining Order and Motion for Leave to Proceed In Forma Pauperis. (Doc. ## 1-3).

On January 27, 2016, the Court denied the Motion for Temporary Restraining Order, highlighting jurisdictional deficits and warning Green that his Complaint "completely fails to address, and accordingly, fails to establish, the

existence of all required elements" of his claims. (Doc. # 5 at 3).

Thereafter, on February 8, 2016, the Honorable Thomas G. Wilson, United States Magistrate Judge, entered a Report and Recommendation on Green's Motion for Leave to Proceed In Forma Pauperis. (Doc. # 6). Judge Wilson explained that Green's Complaint "is procedurally inadequate" because "there is not a short and plain statement of the claim showing that the plaintiff is entitled to relief or a statement of the grounds upon which the court's jurisdiction depends." (Id. at 1-2). Judge Wilson concluded that Green's Complaint was subject to dismissal with leave to amend and determined that the Complaint, as pled, contained "no cogent allegation of a claim for relief over which this court would have jurisdiction." (Id. at 2).

The Court gave Green an opportunity to object to Judge Wilson's Report and Recommendation, but Green did not file an objection. On February 26, 2016, this Court adopted Judge Wilson's Report and Recommendation by denying Green's Motion for Leave to Proceed In Forma Pauperis, dismissing Green's Complaint without prejudice, and granting Green until and including March 28, 2016, to file an amended complaint. (Doc. # 7). In that Order, the Court indicated, "Failure to file an

amended complaint within this period will result in the dismissal of the action without further notice." (Id. at 2).

At this juncture, Green has not filed an amended complaint and the deadline for him to do so has expired. The Court accordingly dismisses this case without prejudice and directs the Clerk to close the case.

Accordingly, it is

**ORDERED, ADJUDGED, and DECREED:**

This case is **DISMISSED** without prejudice. The Clerk is directed to close this case.

**DONE** and **ORDERED** in Chambers, in Tampa, Florida, this 29th day of March, 2016.

A rectangular area with an orange background containing a handwritten signature in black ink. The signature is partially obscured and appears to be a name, possibly "Green".