

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

TERRY LYNN KIMBALL,

Plaintiff,

v.

Case No: 8:17-mc-51-T-36JSS

BAY PINES VA HOSPITAL, BAY PINES  
POLICE and SHERIFF'S DEPARTMENT  
PINELLAS COUNTY,

Defendants.

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**ORDER**

This cause comes before the Court upon the Report and Recommendation, filed by Magistrate Judge Julie S. Sneed on May 12, 2017 (Doc. 2). In the Report and Recommendation, Magistrate Judge Sneed recommends that Plaintiff's Motion for Leave to Proceed *in Forma Pauperis* (Doc. 1) be DENIED, without prejudice, and Plaintiff's case be DISMISSED, without prejudice, and with leave to file a complaint that complies with the Federal Rules of Civil Procedure. Plaintiff was furnished a copy of the Report and Recommendation and was 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. 2) is adopted, confirmed, and approved, and is made a part of this Order for all purposes, including appellate review.

- (2) Plaintiff's Motion for Leave to Proceed *in Forma Pauperis* (Dkt. 1) is DENIED without prejudice.
- (3) Plaintiff's case is DISMISSED without prejudice.
- (4) Plaintiff may file a new lawsuit, with a new case number, and a complaint that complies with the Federal Rules of Civil Procedure. Upon filing the new lawsuit, Plaintiff may file a Motion for Leave to Proceed *in Forma Pauperis*.
- (5) The Clerk is directed to terminate all pending motions and close this file.

**DONE AND ORDERED** at Tampa, Florida on May 30, 2017.

  
Charlene Edwards Honeywell  
United States District Judge

Copies to:  
The Honorable Julie S. Sneed  
Counsel of Record