

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

JESSIE W. BOYINGTON,

Plaintiff,

vs.

CASE NO. 1:08CV112-SPM/AK

CAROLYN C. PATTERSON, et al,

Defendants.

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**ORDER**

Presently before the Court is Plaintiff's Motion for Leave to Proceed IFP and his complaint alleging claims against private persons and businesses under 42 U.S.C. §1983. (Docs. 1 and 4). Having considered the financial affidavit attached to the motion for IFP, the Court finds that leave to proceed IFP (doc. 4) should be **GRANTED**.

However, it will be recommended in a separate Report and Recommendation to the District Judge that this cause be dismissed for failure to state a claim for relief.

**DONE AND ORDERED** this 23<sup>rd</sup> day of September, 2008.

**s/ A. KORNBLUM**

**ALLAN KORNBLUM**

**UNITED STATES MAGISTRATE JUDGE**