

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

ANTHONY LEON SCHILLER,

Plaintiff,

v.

CASE NO.: 4:11-cv-405-SPM/WCS

N.E. MERCER, et al.,

Defendants.

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ORDER ADOPTING SECOND REPORT AND RECOMMENDATION

THIS CAUSE comes before the Court for consideration of the Magistrate Judge's Second Report and Recommendation (doc. 11). Plaintiff filed objections to the report (doc. 12). Upon consideration, I have determined that the Report and Recommendation is correct and should be adopted.

Plaintiff contends that he could not submit an *in forma pauperis* motion because prison officials would not provide Plaintiff with copies of his inmate bank account information. The Magistrate Judge instructed Plaintiff to provide the Court with documentary support (copies of inmate request forms and responses) demonstrating that Plaintiff has attempted to obtain his account statements and to comply with a court order. To date, Plaintiff has still not submitted a copy of an inmate request form where he previously attempted to obtain his bank account statement. Accordingly, it is hereby

ORDERED and ADJUDGED:

1. The Magistrate Judge's Second Report and Recommendation (doc. 11) is **adopted** and incorporated by reference into this order.
2. This case is **dismissed** for Plaintiff's failure to comply with court orders to prosecute this case.
3. All pending motions are **denied**.

DONE AND ORDERED this 14th day of February, 2012.

S/ Stephan P. Mickle

Stephan P. Mickle
Senior United States District Judge