

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

**JAMES L. TATE, JR.,
DOC # 874132,**

Plaintiff,

v.

Case No. 419cv5-MW/CAS

JULIE JONES, et al.,

Defendants.

_____ /

ORDER ACCEPTING REPORT AND RECOMMENDATION

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation, ECF No. 3, and has also reviewed *de novo* Plaintiff's objections to the report and recommendation, ECF No. 4.¹ Accordingly,

IT IS ORDERED:

The report and recommendation is **accepted and adopted**, over Plaintiff's objections, as this Court's opinion. The Clerk shall enter judgment stating, "This case is summarily **DISMISSED** because Plaintiff did not pay the filing fee at the time of case initiation. Plaintiff is not entitled to proceed *in forma pauperis* pursuant

¹ Plaintiff's document, ECF No. 4, is untitled. While Plaintiff states it an appeal to the Eleventh Circuit Court of Appeals, he also says it is a motion for objections to the Magistrate Judge's Report and Recommendation. This Court has construed the document as Plaintiff's objection to the Report and Recommendation. Should Plaintiff desire to appeal the decision of this Court's present order, Plaintiff should file a notice of appeal after the entry of this order.

to 28 U.S.C. § 1915(g). The Clerk shall note the basis of dismissal on the docket.”

The Clerk shall close the file.

SO ORDERED on February 22, 2019.

s/Mark E. Walker
Chief United States District Judge