

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

GUILLERMO FUENTES,

Plaintiff,

v.

Case No. 4:23-cv-346-AW-MAF

CENTURION OF FLORIDA, LLC,

et al.,

Defendant.

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ORDER OF DISMISSAL

Pro se inmate Guillermo Fuentes filed this § 1983 action alleging deliberate indifference to serious medical needs. The magistrate judge recommends dismissal based on Fuentes’s failure to disclose his many prior cases. ECF No. 14. Fuentes has filed objections, ECF No. 18, and I have considered the issues he raised de novo. I now dismiss the case.

First, as Fuentes’s objection notes, it was not timely filed. I have nonetheless considered it as if it were timely. Second, Fuentes takes issue with the magistrate judge’s conclusions about the IFP form, but the court is not dismissing on that basis.

I now adopt the portion of the report and recommendations addressing Fuentes’s failure to accurately disclose his litigation history. The clerk will enter a judgment that says, “Plaintiff’s claims are dismissed without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as malicious because Plaintiff made affirmative

misrepresentations relating to his litigation history.” The clerk will then close the file.

SO ORDERED on November 13, 2023.

s/ Allen Winsor

United States District Judge