

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

CANDICE MILLER,

*Plaintiff,*

v.

Case No.: 4:23cv356-MW/MAF

WARDEN GABBY, et al.,

*Defendants.*

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**ORDER ACCEPTING AND ADOPTING  
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 8. The Magistrate Judge recommends dismissal for Plaintiff's failure to comply with Court Orders to file a proper IFP motion or pay the filing fee and to dismiss the amended complaint as a shotgun pleading. However, Plaintiff has since filed a motion to proceed *in forma pauperis*, see ECF No. 9, but the Magistrate Judge dismissed this motion without prejudice because the motion was incomplete. See ECF No. 10. Accordingly, upon consideration, no objections having been filed by the parties,

**IT IS ORDERED:**

The report and recommendation, ECF No. 8, is **accepted and adopted** as this Court's opinion. The Clerk shall enter judgment stating, "Plaintiff's amended

complaint, ECF No. 5, is **DISMISSED without prejudice** as a shotgun pleading and for failure to comply with Court Orders.” The Clerk shall close the file.

**SO ORDERED on November 3, 2023.**

**s/Mark E. Walker**  
**Chief United States District Judge**