

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION

JEAN DESROSES, #M02409,  
Plaintiff,

vs.

Case No.: 5:14cv166/RV/EMT

GALINA KATS-KAGAN,  
Defendant.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated July 21, 2014 (doc. 4). Plaintiff has been furnished a copy of the Report and Recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a de novo determination of all timely filed objections (doc. 5).

Having considered the Report and Recommendation, and any timely filed objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
  2. Pursuant to 28 U.S.C. § 1915(g), this cause is **DISMISSED WITHOUT PREJUDICE** to Plaintiff's initiating a new cause of action accompanied by payment of the \$400.00 filing fee in its entirety.
  3. The motion to proceed in forma pauperis (doc. 2) is **DENIED as moot**.
- DONE AND ORDERED** this 25<sup>th</sup> day of July 2014.

/s/ Roger Vinson

**ROGER VINSON**  
**SENIOR UNITED STATES DISTRICT JUDGE**