

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

DARRYL C. DANIELS,

Plaintiff,

v.

Case No. 5:22-cv-112-TKW/MJF

Z. CULPEPPER, et al.,

Defendants.

ORDER

This case is before the Court based on the magistrate judge's Report and Recommendation (Doc. 6) and Plaintiff's objection (Doc. 7). The Court reviewed the issues raised in the objection de novo as required by 28 U.S.C. §636(b)(1) and Fed. R. Civ. P. 72(b)(3), and based on that review, the Court agrees with the magistrate judge's determination that this case should be dismissed under 28 U.S.C. §1915A(b)(1) based on Plaintiff's failure to fully disclose his litigation history.

The Court did not overlook Plaintiff's argument that he should be held to a less stringent standard because he is not a lawyer, but the Court finds that argument unpersuasive because the litigation history questions on the complaint form are simple and straightforward and do not require a legal education to answer. *See Kendrick v. Sec'y, Fla. Dep't of Corr.*, 2022 WL 2388425, at *3 (11th Cir. July 1, 2022); *Merritt v. Dep't of Corr.*, 2020 WL 6703794, at *1 (N.D. Fla. Nov. 13, 2020).

Nor did the Court overlook the other issues raised in the objection, but none of those issues have any bearing on the dispositive question of whether Plaintiff fully disclosed his litigation history.

Accordingly, it is **ORDERED** that:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. This case is **DISMISSED** without prejudice under 28 U.S.C. §1915A(b)(1) as an abuse of the judicial process.
3. The Clerk shall terminate all pending motions and close the case file.

DONE and ORDERED this 1st day of August, 2022.

A handwritten signature in blue ink, appearing to read "T. Kent Wetherell, II", with a stylized flourish at the end.

T. KENT WETHERELL, II
UNITED STATES DISTRICT JUDGE