

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

GERALD T. RAINEY,

Plaintiff,

v.

Case No.: 5:24cv203-MW/MJF

**MANAGEMENT & TRAINING
CORP., et al.,**

Defendants.

**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 failure to comply with Court orders, failure to pay the filing fee, and failure to demonstrate that Plaintiff qualifies to proceed *in forma pauperis*. This Court agrees, with the qualification that this Court understands Plaintiff filed a printout demonstrating that Plaintiff's average daily balance during the last six months was only fifteen cents, and, while this Court is sympathetic to the notion that such a low daily average speaks for itself in terms of Plaintiff's qualification to proceed *in forma pauperis*, Plaintiff has still failed to follow Court orders and submit the proper documentation to support his request. 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. Plaintiff's motion for leave to proceed *in forma pauperis*, ECF No. 3, is **DENIED**. The Clerk shall enter judgment stating, "Plaintiff's claims are **DISMISSED without prejudice** for failure to comply with Court orders." The Clerk shall close the file.

SO ORDERED on January 6, 2025.

s/Mark E. Walker
Chief United States District Judge