

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 10-60015-CIV-GOLD/WHITE

CURTIS E. HOFFMAN,

Plaintiff,

v.

STATE OF FLORIDA,

Respondent.

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**ORDER ADOPTING SUPPLEMENTAL REPORT [DE 25]; DENYING PLAINTIFF'S  
MOTION FOR FEDERAL RULES OF CIVIL PROCEDURE [DE 21]**

THIS CAUSE is before the Court upon Magistrate Judge White's Supplemental Report and Recommendation ("the Report") [DE 25]. In the Report, Judge White recommends that the Plaintiff's Motion for Federal Rules of Civil Procedure ("the Motion") [DE 21] *in forma pauperis* be denied pursuant to 28 U.S.C. § 1915(g) because of Plaintiff's prior filing of frivolous complaints.<sup>1</sup> Since Plaintiff fails to adequately explain why he shall be excused from the procedural bar set forth in § 1915(g), Plaintiff's motion is denied. Plaintiff has not filed objections to the Report [DE 25], and the time for doing so has expired. Upon an independent review of the Report, the record and applicable case law, as well as noting that no objections have been filed, it is hereby:

ORDERED AND ADJUDGED:

1. For the reasons discussed in the Report, Plaintiff's Motion *in forma pauperis* [DE 21] is DENIED.

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On January 21, 2010, a Report and Recommendation was issued by Magistrate Judge Patrick A. White that stated that Plaintiff Hoffman was precluded from proceeding on Case No. 10-60015 *in forma pauperis*, although he could file an amended complaint if the filing fee was paid in full. [DE 6].

2. The Report [DE 25] is AFFIRMED AND ADOPTED.

3. This case shall remain CLOSED.

DONE and ORDERED in Chambers in Miami, Florida, this 2 day of August, 2010.

A handwritten signature in black ink, appearing to read 'Alan S. Gold', written over a horizontal line.

THE HONORABLE ALAN S. GOLD  
UNITED STATES DISTRICT JUDGE

cc:  
Magistrate Judge Patrick A. White  
All Counsel of Record