

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**TEDDY AND HELEN PROPERTY
MANAGEMENT LLC,**

Plaintiff,

v.

CARLOS SKEETE, JR.,

Defendant.

1:18-cv-1422-WSD

OPINION AND ORDER

This matter is before the Court on Magistrate Judge Justin S. Anand's Report and Recommendation [3] ("R&R"), recommending that Defendant Carlos Skeete, Jr.'s, Application to Proceed in District Court without Prepaying Fees or Costs [1] (the "Application") be denied.

On April 9, 2018, the Court advised Defendant that it cannot approve his Application without more information. The Court noted that the Defendant had completely failed to respond to many of the questions in the Application. Defendant was ordered to file a complete Application to Proceed in District Court Without Prepaying Fees or Costs, or in the alternative, to pay the filing fee, within fourteen days of that Order, and was advised that a failure to comply with that Order may result in the dismissal of this action. (Order [2] at 2).

On April 30, 2018 the Magistrate Judge issued his R&R. Defendant has not filed objections to the R&R, and thus the Court reviews it for plain error. See United States v. Slay, 714 F.2d 1093 (11th Cir. 1983), cert. denied, 464 U.S. 1050 (1984).

The Magistrate Judge concluded that Defendant had failed to comply with the April 9, 2018, Order. ([3] at 1). The Magistrate Judge found that Defendant's Application does not establish that Defendant has insufficient household income and assets to pay the filing fee and incur the costs of this proceeding, and the requirements of 28 U.S.C. § 1915(a)(1) have not been satisfied. ([3] at 1-2). The Magistrate Judge recommends that Defendant's Application be denied. The Court finds no plain error in the Magistrate Judge's determinations or recommendation and Defendant's Application is denied. See 28 U.S.C. § 1915(g).

Defendant failed to comply with the Court's order to file a complete Application to Proceed in District Court Without Prepaying Fees or Costs, or in the alternative, to pay the filing fee, within fourteen days of the April 9, 2018, Order, and this action is dismissed without prejudice.


For the foregoing reasons,

IT IS HEREBY ORDERED that Magistrate Judge Justin S. Anand's Report and Recommendation [3] is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant's Application to Proceed in District Court without Prepaying Fees or Costs [1] is **DENIED**.

IT IS FURTHER ORDERED that this action is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this 1st day of June, 2018.



WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE