IT IS THEREFORE ORDERED that the Magistrate Judge's Report of Findings and Recommendation (#4) entered July 24, 2017, are **ADOPTED** and **AFFIRMED**; IT IS FURTHER ORDERED that Plaintiff's Application to Proceed In Forma Pauperis (#1) is **DENIED**; IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED with prejudice**; IT IS FURTHER ORDERED that the Clerk of the Court enter **JUDGMENT** for Defendant and against Plaintiff. DATED this 27th day of September 2017. Kent J. Dawson United States District Judge