

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JEREMIAH TOBIAH ALLEN,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Case No. CIV-17-638-F
	)	
STATE OF OKLAHOMA, et al.,	)	
	)	
Defendants.	)	

**ORDER**


On September 5, 2017, United States Magistrate Judge Charles B. Goodwin issued a Report and Recommendation, recommending that plaintiff's application to proceed *in forma pauperis* be denied and plaintiff's action be dismissed without prejudice because he has failed to prosecute his case in accordance with the court's orders and procedural rules. Magistrate Judge Goodwin advised plaintiff of his right to file an objection to the Report and Recommendation by September 26, 2017 and specifically advised him that failure to timely object to the Report and Recommendation waives the right to appellate review of both factual and legal issues therein contained.

To date, plaintiff has not filed an objection to the Report and Recommendation. With no objection filed within the time prescribed, the court **ACCEPTS, ADOPTS** and **AFFIRMS** the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Charles B. Goodwin on September 5, 2017 (doc. no. 7) is **ACCEPTED, ADOPTED** and **AFFIRMED**. Plaintiff's Application for Leave to

Proceed In Forma Pauperis (doc. no. 5) is **DENIED**. The above-entitled action is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED this 11<sup>th</sup> day of October, 2017.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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