

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

LUCIUS GILBERT HAMPTON, JR.,)	
)	
Plaintiff,)	
)	
vs.)	NO. CIV-17-1066-HE
)	
RICK FAGAN, et al.,)	
)	
Defendants.)	

ORDER

Plaintiff, a state pretrial detainee appearing pro se, filed this § 1983 action alleging violations of his constitutional rights. Pursuant to 29 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to Magistrate Judge Shon T. Erwin for initial proceedings. Judge Erwin found that plaintiff's *In Forma Pauperis* motion was incomplete and ordered plaintiff to correct the deficiencies. Judge Erwin twice extended the deadline for doing so, but plaintiff did not cure the deficiencies. Judge Erwin has since issued a Report and Recommendation (the "Report") recommending that plaintiff's Motion to Proceed *In Forma Pauperis* be denied and that this action be dismissed for failure to comply with the court's orders.

Plaintiff has not objected to the Report. Plaintiff thereby waived his right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010); *see also* 28 U.S.C. 636(b)(1)(C).

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #12]. Plaintiff's Motion to Proceed *In Forma Pauperis* [Doc. #2] is **DENIED**, and this action is **DISMISSED** without prejudice.

IT IS SO ORDERED.

Dated this 8th day of March, 2018.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE