

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

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DAVID CHRISTIAN,)
)
Plaintiff,)
)
v.	C.A. No. 14-152 S)
)
WARWICK REALTY, LLC,)
NORMAN ZOLKOS, JACQUELYN ZOLKOS,)
SARA CARPENTER, REBECCA CARPENTER,)
BRENDA L. RICCI, ERNIE RICCI,)
BIDPRO LLC, and TRISTAR)
PROPERTIES LLC,)
)
Defendants.)
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ORDER

WILLIAM E. SMITH, Chief Judge.

On April 11, 2014, United States Magistrate Judge Patricia A. Sullivan issued a Report and Recommendation (the "R&R") in the above-captioned matter (ECF No. 3). Therein, Judge Sullivan recommended that this Court deny Plaintiff's Application to Proceed Without Prepayment of Fees (ECF No. 2), but that Plaintiff be permitted to refile his Application with additional information as set forth in greater detail in the R&R. Judge Sullivan also recommended that Plaintiff be given 30 days to cure certain jurisdictional defects that she identified in the R&R by filing an Amended Complaint. No objections were filed.

Because this Court agrees with Judge Sullivan's analysis and recommendations, it hereby accepts the R&R pursuant to 28

U.S.C. § 636(b)(1). Plaintiff's Application to Proceed Without Prepayment of Fees is DENIED, though Plaintiff is granted 30 days' leave from the date hereof to refile his Application setting forth the additional specificity called for in the R&R. Furthermore, Plaintiff is granted the same 30 days' leave to file an Amended Complaint curing the jurisdictional defects identified in the R&R. Failure by the Plaintiff to file an Amended Complaint within such 30 days shall result in his suit being dismissed without prejudice.¹

IT IS SO ORDERED.



William E. Smith
Chief Judge
Date: May 29, 2014

¹ The Court acknowledges that a Joint Motion to Dismiss is currently pending (ECF No. 6). This Motion will be held in abeyance pending Plaintiff's leave to file an Amended Complaint.