UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT GREENEVILLE

MICHAEL BENTLEY, III,)
) Case No. 2:23-cv-51
Plaintiff,	,)
	Judge Travis R. McDonough
V.)
••) Magistrate Judge Cynthia R. Wyrick
UNITED STATES DISTRICT COURT) Wingistrate stage Cynthia IX. Wyffek
FOR THE EASTERN DISTRICT OF)
TENNESSEE AT GREENEVILLE,)
Defendant.	
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ORDER

Before the Court is Magistrate Judge Wyrick's report and recommendation that the Court dismiss Plaintiff's complaint with prejudice (Doc. 9).

Plaintiff filed this action *pro se* and moved to proceed *in forma pauperis*. (Docs. 1, 4.)

Under the Prison Litigation Reform Act, district courts must screen *pro se* complaints—even when the plaintiff is not a prisoner but seeks *in forma pauperis* status—and *sua sponte* dismiss any claims that are frivolous or malicious, fail to state a claim on which relief may be granted, or name a defendant who is immune. *See* 28 U.S.C. § 1915(e)(2); *Baker v. Wayne Cnty. Fam. Indep. Agency*, 75 F. App'x 501, 502 (6th Cir. 2003) ("The statute requires courts to dismiss in forma pauperis complaints that fail to state a claim[] and applies to complaints filed by non-prisoners as well as prisoners." (citations omitted)). Therefore, Magistrate Judge Wyrick screened Plaintiff's complaint prior to considering his motion to proceed *in forma pauperis*.

(Doc. 9.) Magistrate Judge Wyrick entered a report and recommendation, recommending that

the Court dismiss Plaintiff's complaint with prejudice. (Id. at 7.) Plaintiff has not filed objections to the report and recommendation, and his time to do so has passed.

After reviewing the record and the applicable law, the Court agrees with the magistrate judge's findings of fact, conclusions of law, and recommendation. Therefore, the Court ACCEPTS and ADOPTS the report and recommendation (Doc. 9) and ORDERS that all Plaintiff's complaint be **DISMISSED WITH PREJUDICE**.

AN APPROPRIATE JUDGMENT WILL ENTER.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH UNITED STATES DISTRICT JUDGE