

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

RONALD WAGONER,)	
)	
Plaintiff,)	
)	
v.)	No. 3:17-CV-361-JRG-CCS
)	
LITTLE JOHN’S LIQUOR STORE, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

In August 2017, Plaintiff Ronald P. Wagoner (“Plaintiff”) filed this *pro se* action as well as an application to proceed *in forma pauperis*, [Docs. 1 and 2]. On September 15, 2017, United States Magistrate Judge C. Clifford Shirley issued a report and recommendation (“R&R”), recommending the Court dismiss the complaint pursuant to 28 U.S.C. § 1915(e) on the grounds that the action is frivolous and fails to state a claim upon which relief can be granted, [Doc. 3]. The Plaintiff failed to timely object to the R&R.

After reviewing the record and applicable law, the Court agrees with the magistrate judge’s findings of fact, conclusions of law, and recommendation. Therefore, the Court hereby ACCEPTS and ADOPTS the R&R, [Doc. 3], pursuant to 28 U.S.C. § 636(b)(1), and ORDERS that the action be DISMISSED without prejudice to the Plaintiff’s rights to re-file if a federal claim can be properly made.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE