



Plaintiff received a copy of the Magistrate Judge's Report on May 24, 2017 (Docket No. 7) but filed no objections thereto. Accordingly, he is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the district court. *Dougllass v. United Services Automobile Association*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*). The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.") It is accordingly


**ORDERED** that the Report of the Magistrate Judge (Docket No. 5) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** the Plaintiff's motion and supplemental motion for leave to proceed *in forma pauperis* (Docket Nos. 2 and 3) are **DENIED** and the above-styled civil action is **DISMISSED WITH PREJUDICE** as to the refiling of another *in forma pauperis* lawsuit raising the same claims as herein presented, but **WITHOUT PREJUDICE** to the refiling of this lawsuit without seeking *in forma pauperis* status and upon payment of the full statutory filing fee. It is further

**ORDERED** that if the Plaintiff pays the full filing fee within 15 days after the date of entry of final judgment in this case, he shall be allowed to proceed in the lawsuit as though the full fee had been paid from the outset. Because Plaintiff is ineligible to proceed *in forma pauperis*, the full filing fee is \$400.00. Payment of the full filing fee will not affect a frivolousness analysis. It is further

**ORDERED** any and all motions which may be pending in this civil action are hereby **DENIED**.

**SIGNED this 9th day of January, 2018.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE