

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

FRANK C. JOHNSON, JR.,
and RUTH B. JOHNSON,

Plaintiffs,

v.

CASE NO. 1:08-cv-00243-MP-AK

HONORABLE TOBY S. MONACO, et al.,

Defendants.

ORDER

This matter is before the Court on Doc. 11, Report and Recommendation of the Magistrate Judge, which recommends that Plaintiffs' complaint, Doc. 1, be dismissed as frivolous and as barred by absolute judicial immunity. The Magistrate filed the Report on Wednesday, December 17, 2008. The Plaintiffs have been furnished a copy of the Report and have filed at Doc. 12 an objection to the Report. Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a *de novo* review of those portions of the Report to which an objection has been made. Upon consideration of the Report and the objection thereto, the Court agrees with the Magistrate that Plaintiffs' complaint is frivolous and barred by absolute judicial immunity. Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The Report and Recommendation of the Magistrate Judge, Doc. 11, is ADOPTED and incorporated herein.
2. Plaintiffs' complaint, Doc. 1, is DISMISSED with prejudice as frivolous and as barred by absolute judicial immunity.

3. The Clerk is directed to reference this case in the records listing FRANK C. JOHNSON, JR. as an abusive filer.

DONE AND ORDERED this 22nd day of December, 2008

s/Maurice M. Paul
Maurice M. Paul, Senior District Judge