

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

RAYL LYNN KELLAR,

Plaintiff,

v.

CASE NO. 1:11-cv-00059-MP-GRJ

L CARRERO, CORRECTIONAL MEDICAL AUTHORITY, J GONZALEZ, C L WEST, JR, R
WOLF,

Defendants.

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ORDER

This matter is before the Court on Doc. 8, Report and Recommendation of the Magistrate Judge, which recommends that plaintiff's complaint, Doc. 1, be dismissed without prejudice, pursuant to 28 U.S.C. § 1915A, for abuse of the judicial process. Plaintiff has not objected to the recommendation, and the time for doing so has passed. Finding no plain error, it is accordingly

ORDERED AND ADJUDGED:

1. The Report and Recommendation of the Magistrate Judge, Doc. 5, is ACCEPTED and incorporated herein.
2. Plaintiff's complaint, Doc. 1, is DISMISSED without prejudice, pursuant to 28 U.S.C § 1915A.
3. The dismissal of this case shall count as a strike pursuant to 28 U.S.C § 1915(g).

4. The Clerk is directed to TERMINATE plaintiff's motion for leave to proceed *in forma pauperis*, Doc. 3, and motion to amend complaint and demand for jury trial, Doc. 6.

DONE AND ORDERED this 23rd day of September, 2011

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge