

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

**PRESTON S. ALLEN,**

**Plaintiff,**

**v.**

**Case No. 1:13cv6-MW/GRJ**

**SECRETARY, DEPARTMENT  
OF CORRECTIONS, et al.,**

**Defendants.**

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**ORDER ACCEPTING  
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation, ECF No.91, and has also reviewed *de novo* Plaintiff's objections to the report and recommendation, ECF No. 92. Accordingly,

**IT IS ORDERED:**

The report and recommendation is **accepted and adopted**, over Plaintiff's objections, as this Court's opinion. The Clerk shall enter judgment stating, "Defendants' Motion to Dismiss Plaintiff's Fourth Amended Complaint, ECF No. 73, is **GRANTED**. Defendant Albritton's Motion to Dismiss Plaintiff's Fourth Amended Complaint, ECF No. 78, is **GRANTED**. Defendant Barger's Motion to

Dismiss Plaintiff's Fourth Amended Complaint, ECF No. 90, is **GRANTED**.

Plaintiff's claims are **DISMISSED without prejudice.**" The Clerk shall close the file.

**SO ORDERED on August 24, 2015.**

s/MARK E. WALKER  
**United States District Judge**