

**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